
ARTICLE FOUR: DEVELOPMENT STANDARDS

50-21 DIMENSIONAL STANDARDS

50-21.1 General Dimensional Standards

A. Residential, Mixed Use, Special Purpose, and Overlay Zones

The dimensional standards for residential, mixed use, special purpose, and overlay districts are shown in the description for each district in the following Sections of Article 2:

- Standards for residential districts are shown in Section 50-14;
- Standards for mixed Use districts are shown in Section 50-15;
- Standards for special purpose districts are shown in Section 50-17; and
- Standards for overlay districts are shown in Section 50-18.

All dimensional standards shown in Article 2 are subject to the Special Dimensional Standards in Section 50-21.2 and the Exceptions and Encroachments in Section 50-21.3 unless specifically noted.

B. Form Districts

The dimensional standards for the Form Districts are integrated into descriptions of each form-based district in Article 2 and the Building Form Standards in Section 50-22. The Special Dimensional Standards in Section 50-21.2 and the Exceptions and Encroachments in Section 50-21.3 do not apply in the form districts unless specifically noted.

50-21.2 Special Dimensional Standards

A. Lot Without Municipal Sewer

Lot areas for properties not provided with municipal sewer shall be at least 2 acres in size or the minimum lot area for the zone district, whichever is larger, and shall be subject to county ordinances and standards regulating individual sewage treatment systems. Lots with large wetlands or shallow bedrock may be required to be larger than 2 acres, and shall be determined on a case-by-case basis based on the area needed to fit a sewage treatment system on the site. Lots smaller than 2 acres may be allowed in areas zoned R-P based on soil and site conditions.

B. Front Yards on Double Frontage Lots

On lots having double frontage and where the first and second frontages are on opposite lot lines, the required front yard shall be provided on the frontage that is the generally established frontage on the block, as determined by the building official.

C. Side Yards

1. Dwelling Units Above Commercial Uses

In all Residential and Mixed Use Districts, where dwelling units are erected above commercial establishments, no residential side yard is required, except for any side yard required for the commercial building on the side of a lot adjoining a residential district. In Form Districts, no side yard is required even if the lot adjoins a residential district.

2. Attached and Multi-family Dwellings

For the purpose of side yard regulations, a two-family dwelling, townhouse, or multi-family dwelling shall be considered as one building occupying one lot.

3. Driveways

Where no garage facilities are provided and the alley is not developed for access at the time the dwelling is constructed in an R-1 or R-2 district, there shall be provided one side yard of a minimum of nine ft. for a driveway and the other side yard shall have a minimum width of five ft.

D. Rear Yards

An accessory structure can not exceed 20 feet in height, and may not occupy more than 30% of the rear yard area. All accessory structures on a lot may not occupy more than 60% of the rear yard area.

E. Improvements To Lot Frontage

Except as provided in Section 50-37.1.L, in addition to the lot frontage requirements contained in Article 2 for development of a previously undeveloped lot, the street frontage shall be improved to the following standards:

1. The street frontage shall be improved to the most current standards on file in the office of the city engineer and shall be designed for the road classification within the zone in which the property is located.
2. The street shall be improved across the entire frontage of the lot proposed to be developed and all other contiguous property owned by the owner of the subject lot.
3. Any street improvements that results in a dead end street that is greater than 150 feet in length shall require construction of a turn-around for emergency and maintenance vehicles approved by the city fire marshal.

50-21.3 Exceptions and Encroachments

The following exceptions and encroachments to required yard areas and height limits are allowed. These provisions apply to Form Districts except as noted.

Table 50-21.3-1: Exceptions and Encroachments

Structure or Feature	Conditions or Limits
Encroachments into Required Yard Areas	
Architectural features (sills, belt courses, eaves, cornices) awnings and canopies, bay windows, gutters and downspouts	No more than 18 in. into any required yard area
Unenclosed or lattice-enclosed stairs, fire escapes, and balconies opening upon fire towers	No more than 5 ft. into any required rear yard, except as required to comply with applicable fire code or Americans with Disabilities Act
Chimneys and flues	No more than 2 ft. into any required front or side setback.
Open sided porch, deck, or paved terrace	Not more than 10 ft. into front yard
Enclosed vestibule or fixed canopy with a floor area of not more than 40 sq. ft.	Not more than 4 ft. into front yard
Fuel pumps or pump islands	Not closer than 15 ft. from any street line or closer than 50 ft. from any residential district boundary
Fences meeting the standards of Section 50-26.4	Fences may not be located closer than 3 ft. to any publicly maintained right-of-way
Porte cochere, carport, or canopy if every part is unenclosed except for necessary structural supports	Permitted in any side setback, but not less than 5 ft. from any side lot line
Accessory Structures	No accessory structure may be located: (a) between a street and any façade of a primary building facing that street, or (b) closer than 10 ft. to any principal structure on an adjoining property, or (c) closer than 5 ft. to any rear lot line, or (d) closer than 3 ft. to any side lot line, except as listed for specific accessory structures below.
Accessory boat dock, residential	No setback required from property lines along the water
Accessory clotheslines, play equipment, trash containers, odor-controlled composting bins and rainwater harvesting tanks	Permitted in side and rear yards
Accessory raingarden	Permitted in all (front, side and rear) yards
Accessory wind power equipment	Permitted in side and rear yards except where prohibited by adopted building code
Exceptions to Building Height Limits	
Television and radio towers, accessory communications towers for private use, religious assembly or ornamental spires and towers, belfries, monuments, tanks, water and fire towers, stage tower or scenery lofts, cooling towers, ornamental towers, chimneys, elevator penthouses, air conditioning penthouses, skylights, smokestacks, conveyors, storage elevators and facilities, flagpoles, accessory wind power equipment, or accessory rooftop solar collectors.	Exempt from height limit. The provisions for religious assembly towers and spires only apply if the applicant proposes an Iconic Building in a Form District.

50-22 BUILDING FORM STANDARDS

The following provisions apply only in the Form Districts listed in Section 50-16, but do not apply in other zone districts.

50-22.1 General Requirements

A. Intent

The building types detailed in this section outline the desired building forms for new construction and renovated structures within the form districts.

B. Applicability

1. All building type standards apply to all new construction and renovation of existing structures, where the renovation includes an addition of more than 50% in building square footage.
2. When a renovation of the front facade occurs with no added building square footage, the street facade requirements and base type requirements must be met when:
 - (a) the existing building front, corner, or lakefront facade is located within the build-to zone;
 - (b) the renovation includes any of the following:
 - (i) installation of additional doors or a change in location of a door;
 - (ii) expansion or change in location of 30% of windows on any street or lakefront facade;
 - (iii) replacement of 30% or more of facade materials on any street or lakefront facade with a different facade material.
3. When a renovation of the shape or style of the roof occurs with no added building square footage, the cap type requirements must be met when the existing building front, corner or lakefront facade is located within the build-to zone.
4. Under all circumstances, no portion of the building type standards must be met in the case of normal repairs required for safety and continued use of the structure, such as replacement of window or door glass.

C. General Requirements

All construction in the Form Districts must meet the following requirements:

1. Zone Districts

No primary building shall be developed within a Form District unless it matches one of the building types approved for that district in Table 50-22.2-1.

2. Planning Review Required

Development of any building type must be reviewed and approved by the city through the planning review process in Article 5.

3. Permanent Structures

All buildings constructed must be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile. Temporary structures and uses are permitted as shown in Article 3.

50-22.2 General Building Type Descriptions

Four major categories of building types are described in this section: Main Street Building, Corridor Building, Cottage Commercial Building, and Iconic Building. The building types proposed for the Form Districts include three variations of the Main Street Building, three variations of the Corridor Building, two variations of the Cottage Commercial Building, and one version of the Iconic Building. The building type variations go from least intense (Type I) to most intense (Type III). Main Street Buildings, in general, are pedestrian-oriented, mixed use buildings. This building type typically has a storefront on the ground floor with offices or residential uses on the upper floors. The ground floor of the Main Street Building has a high amount of transparency, so that pedestrians walking by can look into the interior space. Corridor Buildings are primarily meant to house office or multi-family residential uses, with less transparency required on the ground floor. The Cottage Commercial Building is primarily commercial in nature but, unlike the Main Street Building, it is similar in form to single-family residential areas, providing transitions between commercial and residential areas. While the previously mentioned building types are intended to serve as the fabric buildings of the city, the Iconic Building is a unique civic or institutional building that has distinctive character and function within the community.

A. Main Street Buildings

1. Main Street Building I

This building type allows for service, retail, and office uses on the ground floor and office or residential above. It is appropriate for commercial uses adjacent to residential neighborhoods, as the intensity of this building type is not as high as the other Main Street Building types. It has a larger build-to zone and a maximum height of two-and-a-half or three stories depending on location.

2. Main Street Building II

Main Street Building II is slightly more intense than Main Street Building I, as it is required to be built up to the right-of-way and may generally be up to 4 stories tall. This building type also permits service, retail and office uses on the ground floor and office or residential on upper floors.

3. Main Street Building III

Main Street Building III is the most intense of the Main Street Building types, as it is meant to be used in the downtown area. It is located directly adjacent to the sidewalk and should include retail or service uses on the ground floor whenever possible. Main Street Building III has a maximum height of 15 stories in limited locations.

B. Corridor Buildings

1. Corridor Building I

This building type can house a single category of uses, such as office or residential, or a mix of uses. Corridor Building I is the least intensive Corridor Building, located in the more neighborhood oriented study area locations. It has a larger build-to zone that is set back farther than the other Corridor Buildings, and is permitted to be a maximum of 3 stories.

2. Corridor Building II

Corridor Building II is an intermediary building type between the more neighborhood scale locations and the intensity of downtown. It is similar to Corridor Building I in many ways, but is permitted to be built up to the sidewalk and may also be taller, with generally a maximum height of 4 stories.

3. Lakefront Corridor Building

The Lakefront Corridor Building is a variation on Corridor Building II that was created for use along Lake Superior in Canal Park. These buildings front the lake, but also require some level of frontage on Canal Park Drive. The maximum height is 4 stories.

4. Corridor Building III

Corridor Building III was created for use in downtown. It is required to be built adjacent to the sidewalk and has a maximum height of 15 stories in specified locations. While the Corridor building types are meant to house primarily office and residential uses, commercial uses are also permitted to create a vibrant commercial core for downtown.

C. Cottage Commercial

1. Cottage Commercial I

The Cottage Commercial Building type is residential in character but commercial in use. At a maximum height of two and a half stories, it is meant to blend in with a surrounding residential neighborhood while at the same time providing neighborhood-scale commercial uses. Cottage Commercial I is for use as a transition to residential locations, with a larger build-to zone and permitted side aisle of parking. Cottage Commercial I may also include multiple principal structures on one lot, provided that each building meets the requirements of the building type.

2. Cottage Commercial II

Cottage Commercial II is similar to Cottage Commercial I but is used in the West Duluth study area, which is a more intense context. This building type may be built to the front property line and must locate parking in the rear.

D. Iconic Building

The Iconic Building type is a unique building type meant to house community, cultural, civic, educational or governmental uses. The Iconic Building has more flexible requirements for building location and transparency than the other non-residential building types due to its unique nature.

Table 50-22.2-1: Summary Table of Permitted Building Types by Zone District

		Building Types										Areas
		Main Street Building I	Main Street Building II	Main Street Building III	Corridor Building I	Corridor Building II	Lakefront Corridor Building	Corridor Building III	Cottage Commercial I	Cottage Commercial II	Iconic Building	
Districts	F1: Low-Rise Neighborhood Shopping	●										East Superior
	F2: Low-Rise Neighborhood Mix	●			●				●		●	East Superior, London Road
	F3: Mid-Rise Community Shopping		●									West Duluth, Canal Park
	F4: Mid-Rise Community Mix		●			●				●	●	West Duluth London Road
	F5: Mid-Rise Community Shopping/Office		●			●					●	West Superior, Canal Park
	F6: Mid-Rise Neighborhood Shopping		●						●		●	Central Hillside
	F7: Downtown Shopping			●								Downtown
	F8: Downtown Mix			●				●			●	Downtown
	F9: Canal Park						●					Canal Park

● Building Type permitted

50-22.3 Base Types

Base type standards apply to the ground story and visible basement of front facades of all building types. To determine which base type(s) are permitted for each building type, refer to the building types-specific information found in Sections 50-22.7 through 50-22.17.

A. General Provisions

The following provisions apply to all base types.

1. Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each building type standard found in Sections 50-22.7 through 50-22.17.
2. Applicability. The entire ground story front facade of all buildings must meet the requirements of one of the permitted base types, unless otherwise stated in this section.
3. Measuring transparency. Refer to Section 50-22.5.D.1 for information on measuring building transparency.

4. Visible basements. Visible basements, permitted by base type, are optional.
5. Expression lines. For the purposes of this section, expression lines are an architectural feature comprised of a decorative, three dimensional, linear element, horizontal or vertical, protruding or indented at least one in. from the exterior facade of a building, and extending the length or height of the building with minimal interruptions from doors and windows. It is typically used to delineate the floors or stories of a building.

B. Storefront Base Type

The Storefront base type is a highly transparent ground story treatment designed to serve as the display area and primary entrance for retail or service uses. (Refer to Figure 50-22.3-A)

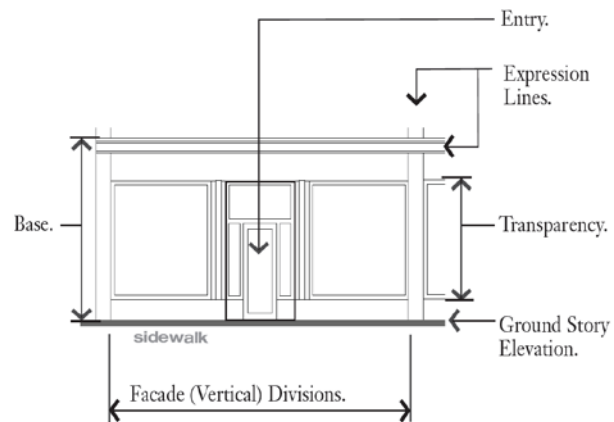


Figure 50-22.3-A: Storefront base type

1. Transparency. A minimum of 75% of the front facade between 2 and 8 ft. above the sidewalk must be comprised of transparent, non-reflective windows into the commercial space. A minimum of 25% of the windows shall have views directly into and out of the ground floor occupied space.
2. Elevation. Ground story elevation must be less than or equal to 1 ft. above sidewalk.
3. Visible Basement. A visible basement is not permitted.
4. Facade Divisions. Expression lines shall divide the facade into segments.
 - (a) Vertically divide the base facade into segments no greater than 30 ft. in width.
 - (b) Horizontally define the base facade from the upper stories.
5. Entrance. All entries shall be recessed from the front facade closest to the street.
 - (a) Recess shall be a minimum of 3 ft. and a maximum of 8 ft. deep, measured from the portion of the front facade closest to the street.
 - (b) When the recess falls behind the front build-to zone, the recess shall be no wider than eight 8 ft.

C. Shopfront Base Type

The Shopfront base type treatment includes less transparency than the storefront, while still allowing views in and out of the commercial space, and an entrance off of a porch or stoop. (Refer to Figure 50-22.3-B)

1. Transparency. A minimum of 50% of the front facade between 3 and 9 ft. above the sidewalk must be comprised of transparent, non-reflective windows into the commercial space.
2. Elevation. Ground story elevation must be between 0 and 3 ft. above sidewalk and not less than 6 in. above the curb, with or without optional visible basement.
3. Visible basement. A visible basement is permitted.
4. Vertical facade divisions. For buildings wider than 50 ft., divide base facade into segments no greater than 50 ft. in width with an expression line.
5. Entrance. Porch or stoop entrance required.

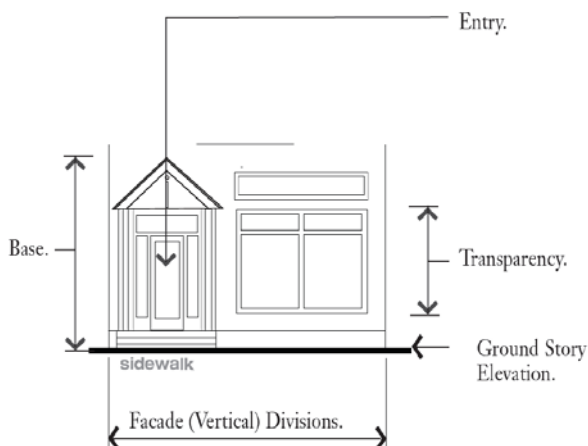


Figure 50-22.3-B: Shopfront base type

D. Arcade Base Type

An Arcade base type is a covered pedestrian walkway within the recess of a ground story. (Refer to Figure 50-22.3-C).

1. Arcade. An open-air public walkway is required from the face of the building recessed into the building a minimum of 8 and a maximum of 15 ft.
2. Recessed or interior facade. Storefront or Shopfront base types are required on the recessed ground story facade.
3. Column spacing. Columns shall be spaced between 10 ft. and 12 ft. on center.
4. Column width. Columns shall be a minimum of 1 ft. 8 in. and a maximum 2 ft. 4 in. in width.
5. Arcade opening. Opening may not be flush with interior arcade ceiling and may be arched or straight.
6. Horizontal facade division. Horizontally define the base facade from the upper stories.
7. Visible basement. A visible basement is not permitted.

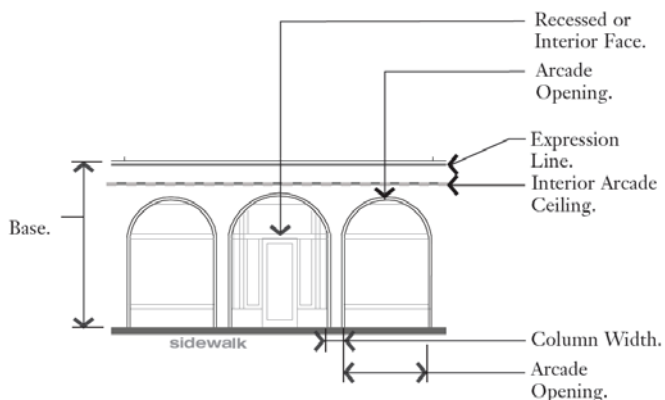


Figure 50-22.3-C: Arcade base type

E. Stoop Base Type

A stoop is an unroofed, open platform. (Refer to Figure 50-22.3-D).

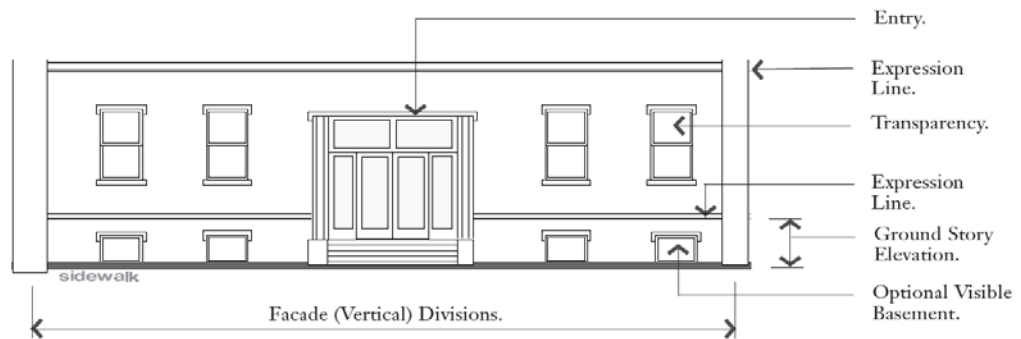


Figure 50-22.3-D: Stoop base type

1. Transparency. Minimum transparency per building type is required.
2. Stoop size. Stoops shall be a minimum of 3 ft. deep and 4 ft. wide.
3. Elevation. Ground story elevation must be located a maximum of 2 ft. 6 in. above the sidewalk without visible basement and a maximum of 4 ft. 6 in. above the sidewalk with a visible basement.
4. Visible basement. A visible basement is permitted.
5. Facade divisions. Expression lines shall divide facade segments.
 - (a) Vertically divide the base facade into segments no greater than 100 ft. in width.
 - (b) Horizontally define the base facade from upper stories.
6. Entrance. All entries shall be located off a stoop.

F. Porch Base Type

A porch is a raised, roofed platform that may or may not be enclosed on all sides. (Refer to Figure 50-22.3-E).

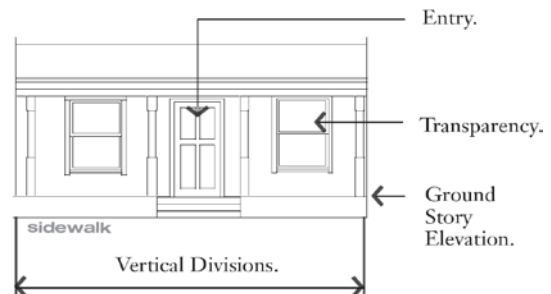


Figure 50-22.3-E: Porch base type

1. Transparency
 - (a) Minimum transparency per building type is required.
 - (b) If enclosed, a minimum of 40% of the enclosed porch must be comprised of transparent, non-reflective windows.
2. Porch size. The porch shall be a minimum of 5 ft. deep and maximum of 8 ft. wide.
3. Elevation. Ground story elevation must be located a maximum of 2 ft. 6 in. above the sidewalk without visible basement, and a maximum of 4 ft. 6 in. above the sidewalk with a visible basement.
4. Visible basement. A visible basement is permitted.
5. Facade divisions. Use expression lines to divide facade segments.

- (a) Vertically divide base facade into segments no greater than 60 ft. in width.
- (b) Horizontally define the base facade from upper stories.
- 6. Height. Porch may be 2 stories to provide a balcony on the second floor.
- 7. Entrance. All entries shall be located off a porch.

50-22.4 Cap Types

Cap type standards apply to the cap of all building types as required in this section.

A. General Provisions

The following provisions apply to all cap types.

- 1. Intent. To guide the design of building caps in order to ensure an appropriate and aesthetically pleasing cap for all buildings.
- 2. Applicability. All buildings must meet the requirements of one of the cap types permitted for the building type.
- 3. Measuring height. Refer to the definition of “Height of building” in Article 6.
- 4. Other cap types. The Iconic building type may seek to incorporate other building caps not listed as a specific type by applying for a special use permit pursuant to Section 50-37.10, but the height may not exceed the maximum height of the tallest cap type permitted for the building type.

B. Parapet Cap Type

A parapet is a low wall projecting above a building’s roof along the perimeter of the building. It can be utilized with a flat or pitched roof and also serves to limit the view of roof-top mechanics from the street. (Refer to Figure 50-22.4-A)

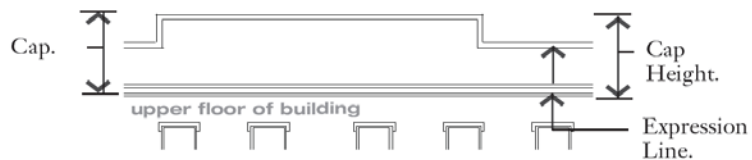


Figure 50-22.4-A: Parapet cap type

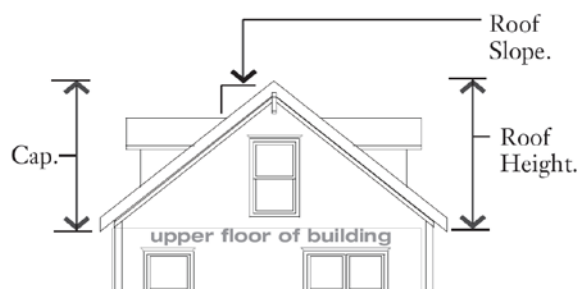
- 1. Parapet height. Height is measured from the top of the upper story to the top of the parapet.
 - (a) Minimum height is 2 ft. with a maximum height of 6 ft.
 - (b) Cap shall be high enough to screen the roof and any roof appurtenances when viewed from the street(s) and any adjacent building of similar height.
- 2. Horizontal expression lines. An expression line shall define the cap from the upper stories of the building and shall also define the top of the cap.
- 3. Occupied space. Occupied space may not be incorporated behind this cap type.

c. Pitched Roof Cap Type

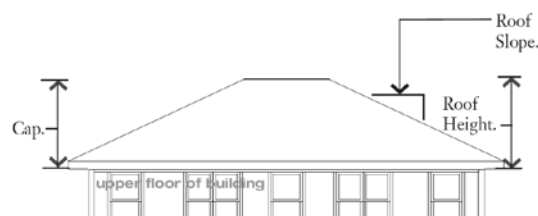
This cap type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run. (Refer to Figure 50-22.4-B)

1. Pitch measure. The roof may not be sloped steeper than a 6:12 (rise:run) or flatter than 16:12 (rise:run).
2. Roof types. Hipped, gabled, and combination of hips and gables with or without dormers are acceptable. Gambrel and mansard roofs are acceptable provided that when the ridge runs parallel to the street, 1 dormer per 15 ft. of street face is required.
3. Parallel ridge line. A gabled end or perpendicular ridge line shall occur at least every 100 ft. of roof for 2-story buildings or higher and at least every 50 ft. of roof for 1-story buildings when the ridge line runs parallel to the front property line.
4. Roof height. Roof height may not be greater than the total of all floors below the roof. For single story portions of the building, roof height may not exceed one-and-one-half times the floor below the roof.

Figure 50-22.4-B: Pitched roof



Pitched Roof cap type – Gabled



Pitched Roof cap type - Hipped



Pitched Roof cap type - Gambrel



Pitched Roof cap type - Mansard

D. Flat Roof Cap Type

This cap type has a flat roof with overhanging eaves. (Refer to Figure 50-22.4-C)

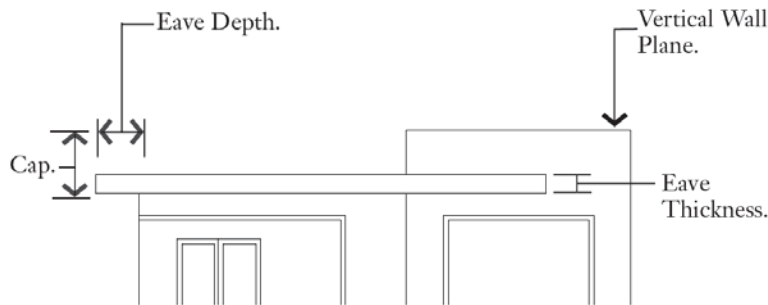


Figure 50-22.4-C: Flat roof

1. Roof types. Roofs with no visible slope are acceptable. Eaves are required on all street-facing facades.
2. Eave depth. Eave depth is measured from the building façade to the outside edge of the eave. Eaves shall have a depth of at least 12 in.
3. Eave thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of 6 in. thick.
4. Interrupting vertical walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
 - (a) No more than one-half of the front façade can consist of an interrupting vertical wall.
 - (b) Vertical walls shall extend no more than 4 ft. above the top of the eave.

E. Towers

A tower is a rectilinear or cylindrical vertical element that must be used with other cap types. (Refer to Figure 50-22.4-D)

1. Quantity. One tower is permitted per building.
2. Tower height. Maximum height, measured from the top of the upper story to the top of the tower, is the equivalent of the height of 1 upper floor of the building to which the tower is applied.
3. Tower width. Maximum width along all facades is one-third the width of the front facade or 30 ft., whichever is less.
4. Occupied space. Towers must be occupied by the same uses allowed in upper stories of the building type to which it is applied.
5. Tower cap. The tower may be capped by the Parapet, Pitched, or Flat Roof cap types.

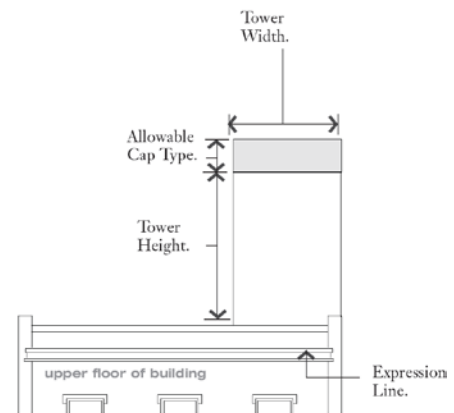


Figure 50-22.4-D: Tower

50-22.5 Explanation of Table Requirements

The following explains and defines the requirements included in the tables for each building type, Sections 50-22.7 through 50-22.17, and summarized for all building types in Table 50-22.7.

A. Building Siting

1. Street Frontage

- (a) Multiple principal buildings permitted on a lot. The presence of more than one principal structure on a lot.
- (b) Front Build-to Zone (BTZ) or setback. The build-to zone or setback parallel to the front property line. All BTZ and setback areas not covered by the building must contain either landscaping, patio space, or sidewalk space. Build-to zones define the minimum and maximum distance a structure may be placed from a property line.

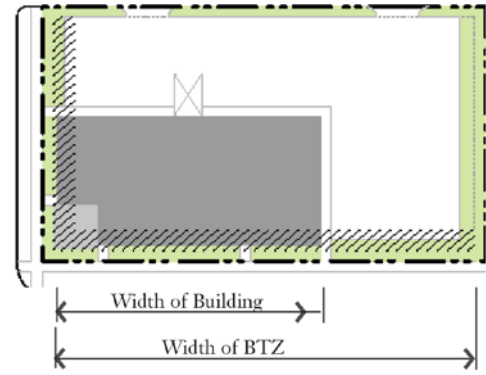


Figure 50-22.5-A: Measuring BTZ Coverage

- (c) Corner BTZ or setback. The build-to zone or setback parallel to the corner property line. All BTZ and setback areas not covered by building must contain landscape area.
- (d) Minimum coverage of front BTZ. Measurement defining the minimum percentage of street wall or building facade required along the street. The width of the principal structure(s) (as measured within the front build-to zone) shall be divided by the maximum width of the front. Refer to Figure 50-22.5-A
- (e) Occupation of corner. Occupying the intersection of the front and corner build-to zones with a principal structure.

2. Side and Rear Setbacks

- (a) Minimum side yard setback. The minimum required setback along a side property line. All side yard setback areas not covered by building must contain landscape area.
- (b) Minimum rear yard setback. The minimum required setback along a rear property line.

3. Buildable Area

- (a) Minimum landscape area. The minimum percentage of a lot that must be primarily dedicated to landscape materials, such as planting beds, grass or shrubs. A portion of the area may include hardscape materials for pedestrian use or access to the area or building, such as patio or sidewalk.
- (b) Minimum lot width. The minimum width of a lot, measured at the front property line.

4. Parking and Access

- (a) Location of parking facilities. The yard in which a parking lot and associated drive is permitted.

- (b) Loading facility location. The facade of the building on which access is permitted for loading and unloading activities related to building uses.
- (c) Number of permitted driveways. Defines the circumstances under which a driveway is permitted on a lot.

B. Height

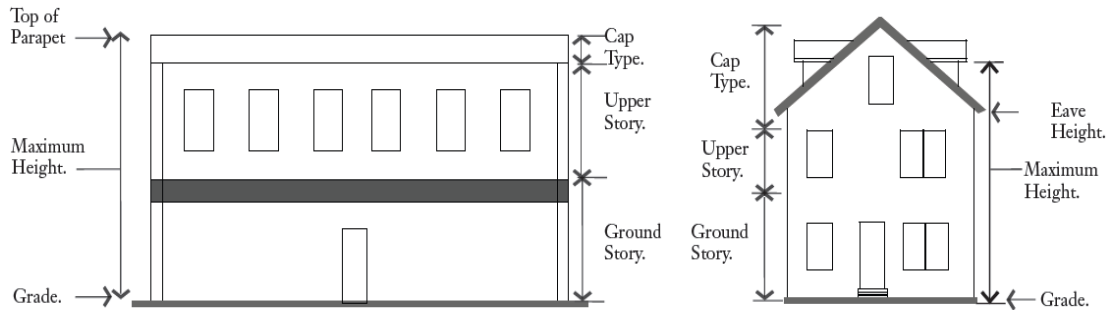


Figure 50-22.5-B: Measuring Height

1. Minimum and maximum overall height. (Refer to Figure 50-22.5-B)
2. A required minimum and maximum overall height is provided for all building types and is measured as follows:
 - (a) Height in stories. The sum of a building's stories. Half stories are located either completely within the roof structure or in a visible basement exposed a maximum of one-half story above average finished grade.
 - (b) Height in ft. measured as follows:
 - (i) Parapet cap type. Overall height is measured from the average finished grade of the building's front facade to the highest point of the parapet.
 - (ii) Pitched cap type. Overall height is measured from the average finished grade of the building's front facade to the midpoint of the highest roof slope.
 - (iii) Flat roof cap type. Overall height is measured from the average finished grade of the building's front facade to the top of the highest eave.
 - (iv) Appurtenances. Chimneys, antennae and other similar appurtenances may exceed the overall building height by no more than 25 ft.
 - (v) Towers. Maximum height, measured from the top of the upper story to the top of the tower, is the equivalent of the height of one upper floor of the building to which the Tower is applied. This additional floor does not count toward the overall height of the building. Refer to Section 50-22.4(E).
3. Ground story and upper story minimum and maximum height. (Refer to Figure 50-22.5-B). Each building type includes a permitted range of height in ft. for each story, which is measured as follows:
 - (a) Floor height is measured in ft. from the floor of a story to the floor of the story above it;
 - (b) For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.

C. Uses

1. Ground story. The uses that may occupy the ground story of a building. Refer to Article 3, Permitted Uses.
2. Upper story. The uses that may occupy the upper stories of a building. Refer to Article 3, Permitted Uses.
3. Parking within building. The area(s) of a building in which parking is permitted within the structure.
4. Occupied space. The area(s) of a building that must be occupied by the users on a regular basis.

D. Facade Requirements

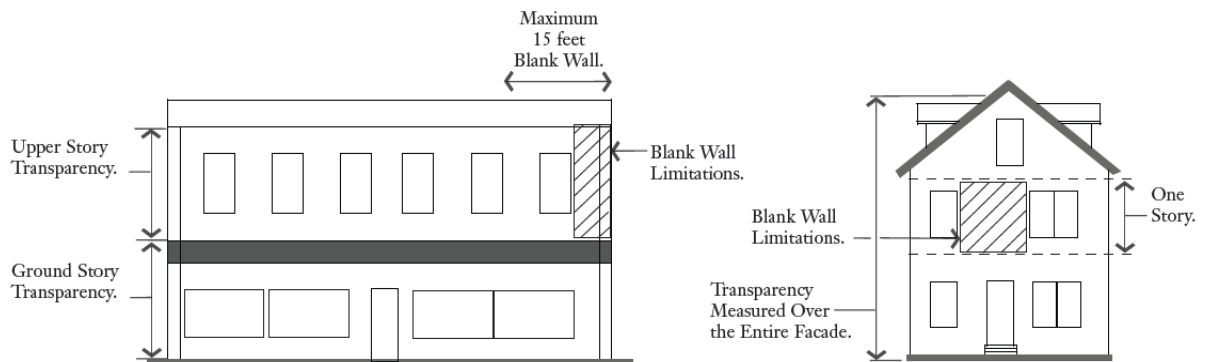


Figure 50-22.5-C: Measuring transparency

1. Transparency. Measurement of the percentage of a facade that has clear, non-reflective windows. Refer to Figure 50-22.5-C.
 - (a) Minimum transparency. The minimum amount of transparency required on the upper stories of facades with street frontage, measured per story or per facade, depending on the building type. Buildings with Storefront and Shopfront base types are required to have a greater ground story transparency on the front facade, as defined in Section 50-22.3, Base Types.
 - (b) Blank wall limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall be met:
 - (i) No rectangular area greater than 30% of a story's facade, as measured from floor to floor, may be windowless; and
 - (ii) No horizontal distance greater than 15 ft. of a story's facade may be windowless.
2. Building entrance.
 - (a) Principal entrance location. The facade on which the primary building entrance is to be located.
 - (b) Street facades. Number of entrances on street facade. The maximum spacing between entrances on a building facade with street frontage.
3. Balconies. The following requirements pertain to balconies on building facades with street frontage.
 - (a) Size. The minimum dimensions of a permitted balcony.

- (b) Facade coverage. The percentage of a facade's total area that may be covered by balconies, including street facing railing and balcony structure.
- (c) Access. The number of units that are permitted to gain entry to an individual balcony.
- (d) Structure. Requirements related to the construction of a balcony. Two types of balcony structures are permitted:
 - (i) Independently secured balconies are those that are connected directly to the building and are unconnected to other balconies.
 - (ii) Balconies that are integral to the facade are a part of, and built in conjunction with, the building structure.

E. Cap & Base Type Requirements

1. Cap type. The cap type(s) permitted for a given building type. Refer to 50-22.4, Cap Types for more specific requirements.
2. Tower. A vertical building extension that may be permitted in conjunction with another cap type on certain building types. Refer to 50-22.4(E), Cap Types.
3. Front street facade base type. The base type(s) required on the street-facing facade of a given building type. Refer to 50-22.3, Base Types for more specific requirements.
4. Parking lot facade base type. The base type(s) required on the facade of a given building type that faces a parking lot. Refer to 50-22.3, Base Types for more specific requirements.

F. Facade Materials Requirement

The materials prohibited, required and to be avoided for designated facades.

50-22.6 Additional Development Standards

The following provides additional required physical standards for the uses outlined as permitted in Article 3, Permitted Uses.

A. Automobile and Light Vehicle Repair and Service

1. Service bays. Vehicular service bays, including garages and car wash bays, shall not be located on the front facade.
2. Outdoor activities. All repairs or washing activities must occur inside a structure.

B. Filling Station: Fuel Pumps and Canopies

Refer to Figure 50-22.6-A

1. Fuel pumps are permitted in the side or rear yards.
2. If a lot containing fuel pumps is adjacent to any residential district, the boundary with those districts shall be buffered in accordance with the standards in Section 50-25.5.B.
3. Canopy roof structures shall match the roof structure of the principal structure on the lot.
4. Canopy height shall not exceed the height of the principal structure on the lot.
5. Signage is not permitted on the canopy.

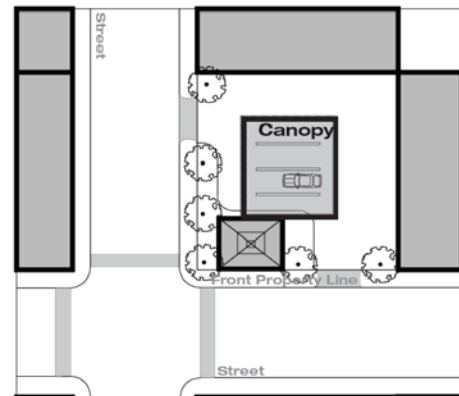


Figure 50-22.6-A: Relationship between the principal structure and the pump islands

C. Drive-Through

Refer to Figure 50-22.6-B

1. The drive-through shall be located on the side or rear façade.
2. When occurring adjacent to any residential district, the boundary with those districts shall be buffered in accordance with the standards in Section 50-25.5.B.

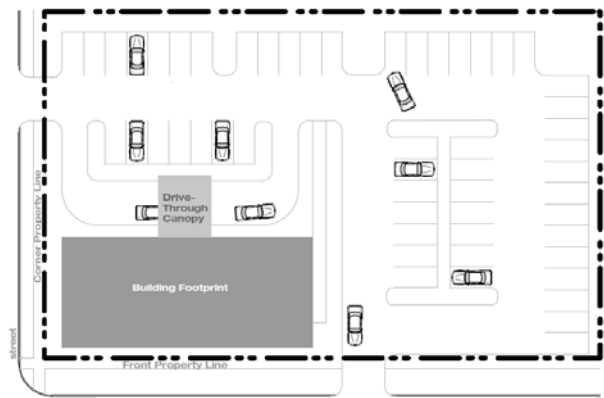


Figure 50-22.6-B: drive-through

D. Parking Structure

Facades of parking structures visible from any public right-of-way shall meet the following requirements:

- 1. Vertical expression lines are required every 60 ft.
- 2. Ramped floors shall not be visible from the street. Garage openings shall be organized in stories. Story dimensions shall match adjacent buildings, measured between 9 ft. and 14 ft. floor to floor.
- 3. The street facing façade surface of the structure shall be articulated with the same level of detail and the same type of material as adjacent buildings. Brick masonry shall be the dominant surface material, occupying a minimum of 50% of the street facing façade surface.
- 4. Garage entries and exits shall be located on secondary streets or alleys.

50-22.7 Building Type Summary Table

Table 50-22.7-1: Building Type Summary Table

	Street Frontage				Side & Rear Setbacks		Buildable Area	
	Multiple Buildings Permitted on a Lot	Front Yard BTZ or setback (feet)	Corner Side Yard BTZ or setback (feet)	Minimum Coverage of Front Build-to Zone	Minimum Side Yard Setback (feet)	Minimum Rear Yard Setback (feet)	Minimum Landscape Area	Minimum Lot Width (feet)
Main Street Building I	No	0-15	0-15	85%; BTZ may exclude permitted driveway	0	5	10%	30
Main Street Building II	No	0-5	0-5	95%	0	5	0%	20
Main Street Building III	No	0-5	0-5	95%	0	5	0%	20
Corridor Building I	Yes	5-15	5-15	75%	0	5	15%	30
Corridor Building II	Yes	0-15	0-15	75%	0	5	15%	50
Lakefront Corridor Building	Yes	0-25 BTZ on Lakefront; 0-15 BTZ along Canal Park Drive	0-15	33% on street face; 65% on Lakefront	10% of lot width on each side or aggregate on one side	Not applicable	20%	50
Corridor Building III	No	0-5	0-5	85%	0	5	0%	50
Cottage Commercial I	Yes	5-20	5-20	60%	5	5	20%	50
Cottage Commercial II	No	0-15	0-15	60%	0	5	20%	50
Iconic Building	Yes	5' Setback	5' Setback	Not applicable	5	5	20%	50

¹Tower permitted for all Building Types

² 2 driveways may be permitted through [special exception] if frontage exceeds 200'

³15 stories or 188' as measured from W Superior Street; Permitted from Mesaba Ave to N 4th Ave E

⁴Ground floor transparency may be greater depending on base type.

Parking & Access		Building Height		Transparency		Entrance	Cap & Base Type	
Location of Parking Facilities (yard)	Number of Permitted Driveways	Minimum Principle Building Height (stories)	Maximum Principle Building Height	Minimum Front & Corner Side Façade Transparency per Story ⁴		Primary Entrance Locations	Allowed Cap Types ¹	Allowed Base Types
Rear	1 driveway permitted per frontage ²	1	2.5 stories / 37' along East Superior Street; 3 stories / 45' along London Road	20%	Required	Front or Corner Side Façade	Parapet, Flat Roof, Pitched Roof	Storefront
Rear	If no alley exists, 1 driveway permitted per frontage ²	1	4 stories / 55'; 6 stories / 80' on Lake Avenue	20%	Required	Front or Corner Side Façade	Parapet, Flat Roof, Pitched Roof	Arcade, Storefront
Rear	If no alley exists, 1 driveway permitted per frontage	1; 2 along Superior Street	6 stories / 80'; 9 stories / 116' on corner parcels only; 15 stories / 188' along Superior Street ³	20%	Required	Front or Corner Side Façade	Parapet, Flat Roof	Arcade, Storefront
Rear, Single side aisle permitted	1 driveway permitted per frontage ²	1	3 stories / 45'	20%	Required	Front or Corner Side Façade	Parapet, Flat Roof, Pitched Roof	Stoop, Porch
Rear	If no alley exists, 1 driveway permitted per frontage ²	1	4 stories / 55'; 6 stories / 80' on Lake Avenue	20%	Required	Front or Corner Side Façade	Parapet, Flat Roof, Pitched Roof	Stoop, Porch
Must be screened from the Lakefront by building	1 driveway permitted per every 140' of frontage	1	4 stories / 55'	20%	Required only on street or Lakefront facades	Visible from street	Parapet, Flat Roof, Pitched Roof	Stoop or Porch on Lake or parking lot face; Storefront or Stoop on street face
Rear	If no alley exists, 1 driveway permitted per frontage	1	6 stories / 80'; 9 stories / 116' on corner parcels only; 15 stories / 188' along Superior Street ³	20%	Required	Front or Corner Side Façade	Parapet, Flat Roof	Stoop
Rear, Single side aisle permitted	1 driveway permitted per frontage ²	1	2.5 stories / 33'	20%	Not required	Front or Corner Side Façade	Pitched Roof	Shopfront, Porch, Stoop
Rear	If no alley exists, 1 driveway permitted per frontage ²	1	2.5 stories / 33'	20%	Not required	Front or Corner Side Façade	Pitched Roof	Shopfront, Porch, Stoop
Rear, Single side aisle permitted	1 driveway permitted per frontage ²	1	4 stories / 55'	10%	Not required	Front or Corner Side Façade	Parapet, Flat Roof, Pitched Roof	Stoop

50-22.1 Main Street Building I

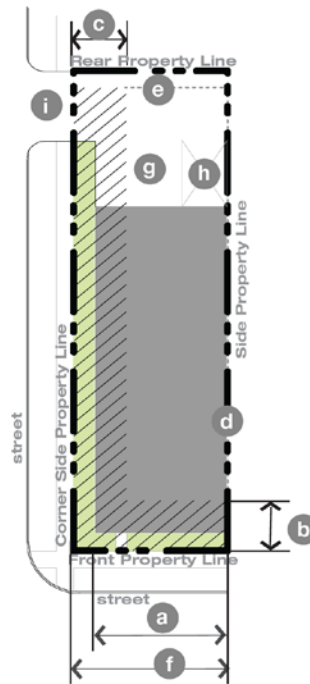


Figure 50-22.8(A): Building Siting.

A. Building Siting		
1. Street Frontage		
Multiple Principal Buildings	Not permitted	
Front Build-to Zone Coverage	85%; BTZ may exclude permitted driveway	(a)
Occupation of Corner	Required	
Front BTZ	0' to 15'	(b)
Corner BTZ	0' to 15'	(c)
2. Buildable Area		
Side Yard Setback	0'	(d)
Rear Yard Setback	5'	(e)
Minimum Lot Width	30'	(f)
Minimum Landscape Area	10%	
3. Parking Lot, Loading & Access		
Parking Lot Location	Rear yard	(g)
Loading Facility Location	Rear building façade	(h)
Access	1 driveway permitted per frontage; 2 driveways may be permitted through [special exception] if frontage exceeds 200'	(i)
B. Height		
Minimum Overall Height	1 story	(j)
Maximum Overall Height	2.5 stories / 37' along East Superior; 3 stories / 45' along London Road	(k)
Ground Story: Minimum Height	15'	
Maximum Height ¹	24'	(l)
Upper Stories: Minimum Height	9'	
Maximum Height	14'	(m)
Notes:		
¹ If 20' or more in height, ground story shall count as 2 stories towards maximum building height.		
C. Uses		
Ground Story	Refer to Article 3. Permitted Uses	(n)
Upper Story	Refer to Article 3. Permitted Uses	(o)
Parking within Building	Permitted in the rear of the ground floor and fully in any other floor	(p)
Occupied Space	30' depth space required on ground floor facing Primary Street	

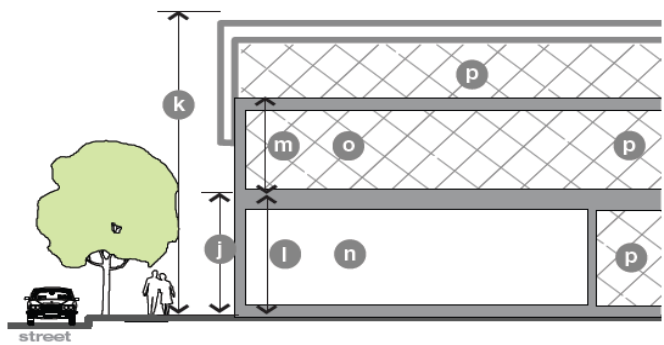


Figure 50-22.8(B): Height & Use Requirements.

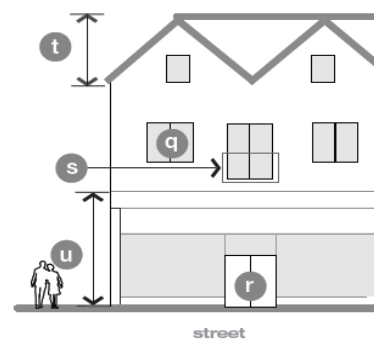


Figure 50-22.8(C): Facade Requirements.

D. Street Façade Requirements	
1. Transparency	q
Minimum Transparency	20% per floor
Blank Wall Limitations	Required
2. Building Entrance	
Principal Entrance Location	Front or Corner Side Façade of building r
Street Façades: Number of Entrances	1 per 75' of Front Façade
3. Balconies (if provided)	s
Size	Minimum 3' deep and 5' wide
Façade Coverage	Maximum 30% of front & corner side façades, calculated separately
Access to Balcony	Maximum one (1) dwelling unit
Structure	Independently secured and unconnected to other balconies; or integral to the façade

E. Cap & Base Type Requirements	
Cap Type	Parapet, Flat Roof, Pitched Roof t
Tower	Permitted
Street Façade Base Type	Storefront u

50-22.2 Main Street Building II

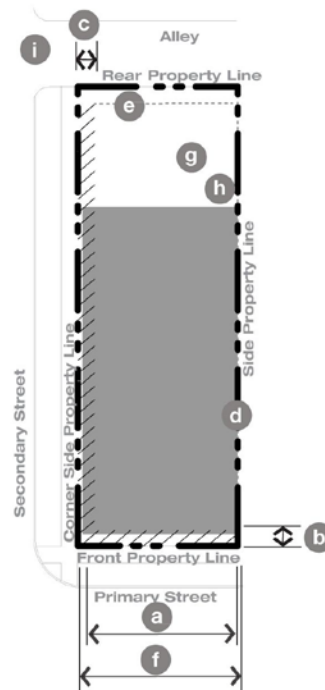


Figure 50-22.9(A): Building Siting.

A. Building Siting		B. Height	
1. Street Frontage		Minimum Overall Height	1 story (j)
Multiple Principal Buildings	Not permitted	Maximum Overall Height	4 stories/55'; 6 stories/80' on Lake Ave. (k)
Front Build-to Zone Coverage	95% (a)	Ground Story: Minimum Height	15' (l)
Occupation of Corner	Required	Maximum Height ¹	24' (m)
Front BTZ	0' to 5' (b)	Upper Stories: Minimum Height	9' (m)
Corner BTZ	0' to 5' (c)	Maximum Height	14'
2. Buildable Area		Notes:	
Side Yard Setback	0' (d)	¹ If 20' or more in height, ground story shall count as 2 stories towards maximum building height.	
Rear Yard Setback	5' (e)	C. Uses	
Minimum Lot Width	20' (f)	Ground Story	Refer to Article 3. Permitted Uses (n)
Minimum Landscape Area	0%	Upper Story	Refer to Article 3. Permitted Uses (o)
3. Parking Lot, Loading & Access		Parking within Building	Permitted in the rear of the ground floor and fully in any other floor (p)
Parking Lot Location	Rear yard (g)	Occupied Space	30' depth space required on ground floor facing Primary Street
Loading Facility Location	Rear building façade (h)		
Access	No driveway permitted if alley access is available; If no alley exists, 1 driveway permitted per frontage; 2 driveways may be permitted through [special exception] if frontage exceeds 200' (i)		

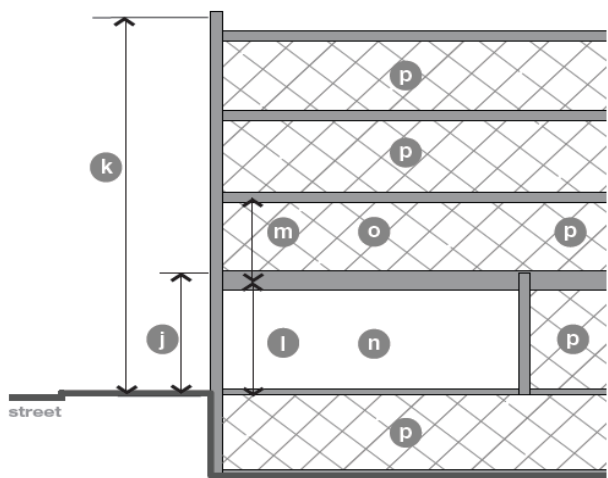


Figure 50-22.9(B): Height & Use Requirements.

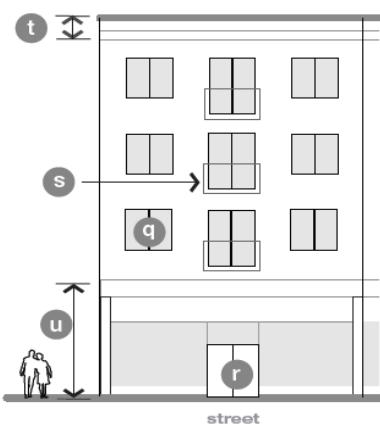


Figure 50-22.9(C): Facade Requirements.

D. Street Façade Requirements		
1. Transparency q		
Minimum Transparency	20% per floor	
Blank Wall Limitations	Required	
2. Building Entrance		
Principal Entrance Location	Front or Corner Side Façade of building	r
Street Façades: Number of Entrances	1 per 75' of Front Façade	
3. Balconies (if provided) s		
Size	Minimum 3' deep and 5' wide	
Façade Coverage	Maximum 30% of front & corner side façades, calculated separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the façade	

E. Cap & Base Type Requirements		
Cap Type	Parapet, Flat Roof, Pitched Roof	t
Tower	Permitted	
Street Façade Base Type	Arcade, Storefront	u

F. Façade Materials Requirements ²		
Permitted Façade Materials	Durable, natural materials, such as stone, brick, stucco, metal, and concrete	
Permitted Upper Story Façade Materials	Painted or Stained Wood	
Required Materials	Minimum 60% masonry on each façade, red brick preferred	
Materials to Avoid	Imitation materials intended to look like natural materials; Residential grade windows and doors on the ground story; painted brick or stone	
Prohibited Materials on Façades	Concrete masonry units, utility or economy bricks more than 3" in height, untreated wood, and exterior insulation & finishing systems (EIFS)	
Façade Colors	Historic Paint Palettes by any major brand, also on file at City Hall	

Notes:

² Façade materials requirements apply only to the Canal Park area

50-22.3 Main Street Building III

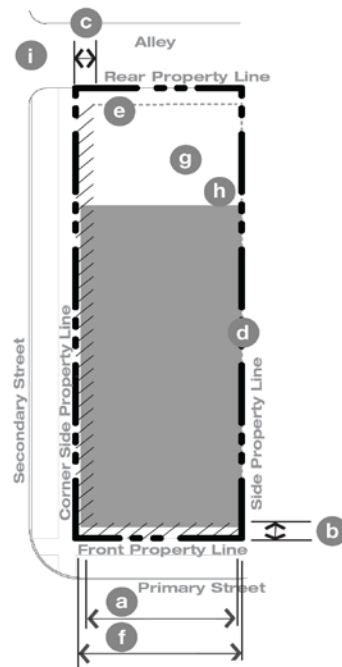


Figure 50-22.10(A) : Building Siting.

A. Building Siting		B. Height	
1. Street Frontage		Minimum Overall Height	1 story; 2 stories along Superior Street j
Multiple Principal Buildings	Not permitted	Maximum Overall Height	6 stories / 80'; 9 stories / 116' on all corner parcels except those on 2nd Street; 15 stories / 188' along Superior Street ^{1,2} k
Front Build-to Zone Coverage	95% a	Ground Story: Minimum Height	15' l
Occupation of Corner	Required	Maximum Height ³	24' m
Front BTZ	0' to 5' b	Upper Stories: Minimum Height	9'
Corner BTZ	0' to 5' c	Maximum Height	14'
2. Buildable Area		Notes:	
Side Yard Setback	0' d	¹ 15 Stories/188' height shall be measured from Superior Street	
Rear Yard Setback	5' e	² 15 Stories permitted from Mesaba Ave to N 4th Ave E on W Superior Street	
Minimum Lot Width	20' f	³ If 20' or more in height, ground story shall count as 2 stories towards maximum building height	
Minimum Landscape Area	0%	C. Uses	
3. Parking Lot, Loading & Access		Ground Story	Refer to Article 3. Permitted Uses n
Parking Lot Location	Rear yard g	Upper Story	Refer to Article 3. Permitted Uses o
Loading Facility Location	Rear building façade h	Parking within Building	Permitted in the rear of all floors and fully in any basement p
Access	No driveway permitted if alley access is available; If no alley exists, 1 driveway permitted per frontage i		

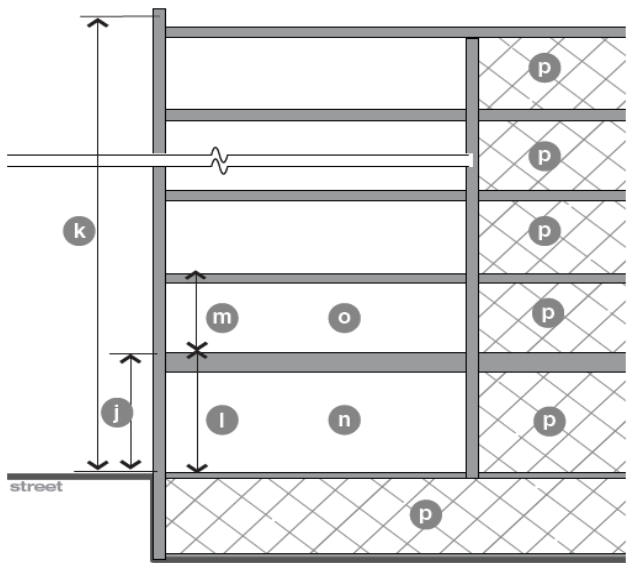


Figure 50-22.10(B): Height & Use Requirements.

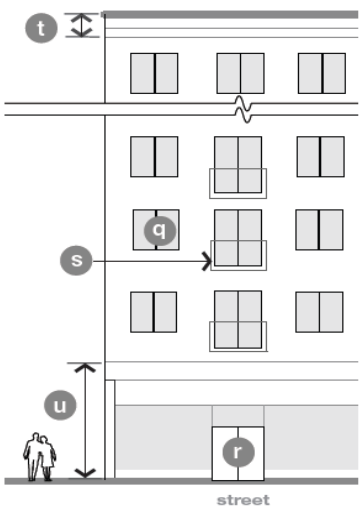


Figure 50-22.10(C): Facade Requirements.

Occupied Space	30' depth space required on all floors facing Primary Streets and on ground floor facing Secondary Streets
D. Street Façade Requirements	
1. Transparency q	
Minimum Transparency	20% per floor
Blank Wall Limitations	Required
2. Building Entrance	
Principal Entrance Location	Front or Corner Side Façade of building r
Street Façades: Number of Entrances	1 per 75' of Front Façade
3. Balconies s	
Size	Minimum 3' deep and 5' wide
Façade Coverage	Maximum 30% of front & corner side façades, calculated separately
Access to Balcony	Maximum one (1) dwelling unit
Structure	Independently secured and unconnected to other balconies; or integral to the façade

E. Cap & Base Type Requirements		
Cap Type	Parapet, Flat Roof	t
Tower	Permitted	
Street Façade Base Type	Arcade, Storefront	u

50-22.4 Corridor Building I

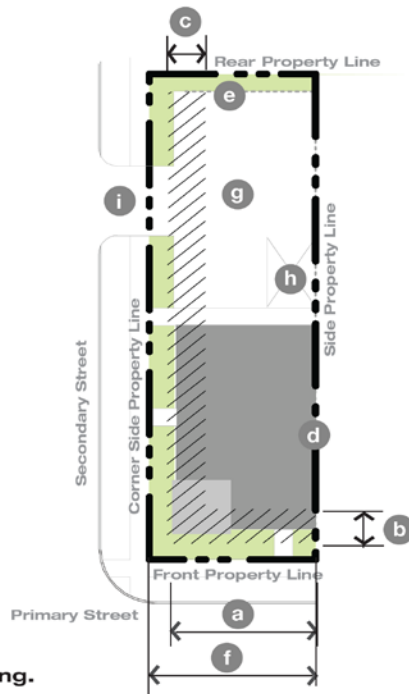


Figure 50-22.11(A): Building Siting.

A. Building Siting		B. Height	
1. Street Frontage		Minimum Overall Height	1 story (j)
Multiple Principal Buildings	Permitted	Maximum Overall Height	3 stories / 45' (k)
Front Build-to Zone Coverage	75% (a)	Ground Story: Minimum Height	15' (l)
Occupation of Corner	Required	Maximum Height ¹	24' (m)
Front BTZ	5' to 15' (b)	Upper Stories: Minimum Height	9' (n)
Corner BTZ	5' to 15' (c)	Maximum Height	14' (o)
2. Buildable Area		Notes:	
Side Yard Setback	0' (d)	¹ If 20' or more in height, ground story shall count as 2 stories towards maximum building height.	
Rear Yard Setback	5' (e)	C. Uses	
Minimum Lot Width	30' (f)	Ground Story	Refer to Article 3. Permitted Uses (p)
Minimum Landscape Area	15%	Upper Story	Refer to Article 3. Permitted Uses (q)
3. Parking Lot, Loading & Access		Parking within Building	Permitted in the rear of the ground floor and fully in any other floor (r)
Parking Lot Location	Rear yard; Single aisle permitted in side yard (g)	Occupied Space	30' depth space required on ground floor facing Primary Street
Loading Facility Location	Rear building façade (h)		
Access	1 driveway permitted per frontage; 2 driveways may be permitted through [special exception] if frontage exceeds 200' (i)		

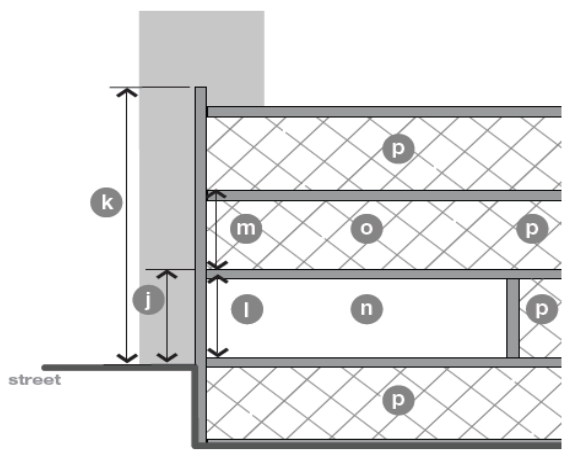


Figure 50-22.11(B): Height & Use Requirements.

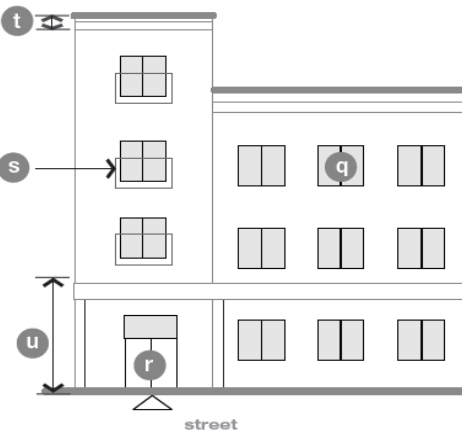


Figure 50-22.11(C): Facade Requirements.

D. Street Façade Requirements	
1. Transparency q	
Minimum Transparency	20% per floor
Blank Wall Limitations	Required
2. Building Entrance r	
Principal Entrance Location	Front or Corner Side Façade of building
Street Façades: Number of Entrances	1 per 75' of Front Façade
3. Balconies (if provided) s	
Size	Minimum 3' deep and 5' wide
Façade Coverage	Maximum 30% of front & corner side façades, calculated separately
Access to Balcony	Maximum one (1) dwelling unit
Structure	Independently secured and unconnected to other balconies; or integral to the façade

E. Cap & Base Type Requirements	
Cap Type	Parapet, Flat Roof, Pitched Roof t
Tower	Permitted
Street Façade Base Type	Stoop, Porch ² u
Notes:	
² Porch, Stoop, or stairs may encroach to within 2' of the property line	

50-22.5 Corridor Building II

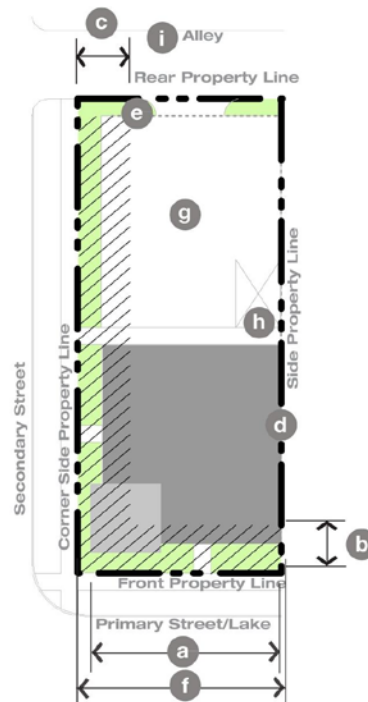


Figure 50-22.12(A): Building Siting.

A. Building Siting		B. Height	
1. Street Frontage		Minimum Overall Height	1 story (j)
Multiple Principal Buildings	Permitted	Maximum Overall Height	4 stories/55'; 6 stories/80' on Lake Ave. (k)
Front Build-to Zone Coverage	75% (a)	Ground Story: Minimum Height	15' (l)
Occupation of Corner	Required	Maximum Height	24' (m)
Front BTZ	0' to 15' (b)	Upper Stories: Minimum Height	9' (m)
Corner BTZ	0' to 15' (c)	Maximum Height	14'
2. Buildable Area		Notes:	
Side Yard Setback	0' (d)	¹ If 20' or more in height, ground story shall count as 2 stories towards maximum building height.	
Rear Yard Setback	5' (e)	C. Uses	
Minimum Lot Width	50' (f)	Ground Story	Refer to Article 3. Permitted Uses (n)
Minimum Landscape Area	15%	Upper Story	Refer to Article 3. Permitted Uses (o)
3. Parking Lot, Loading & Access		Parking within Building	Permitted in the rear of the ground floor and fully in any other floor (p)
Parking Lot Location	Rear yard (g)	Occupied Space	30' depth space required on ground floor facing Primary Street
Loading Facility Location	Rear building façade (h)		
Access	No driveway permitted if alley access is available; If no alley exists, 1 driveway permitted per frontage; 2 driveways may be permitted through [special exception] if frontage exceeds 200' (i)		

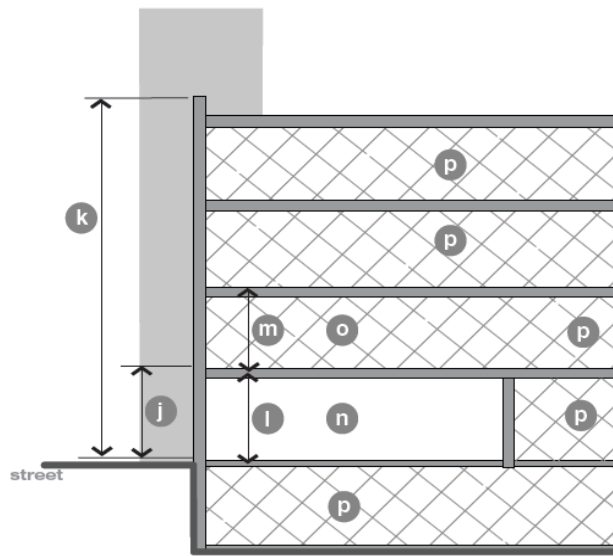


Figure 50-22.12(B): Height & Use Requirements.

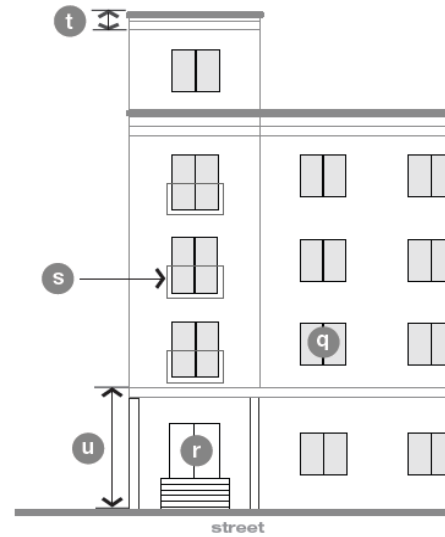


Figure 50-22.12(C): Facade Requirements.

D. Street Façade Requirements	
1. Transparency (q)	
Minimum Transparency	20% per floor
Blank Wall Limitations	Required
2. Building Entrance	
Principal Entrance Location	Front or Corner Side Façade of building (r)
Street Façades: Number of Entrances	1 per 75' of Front Façade
3. Balconies (if provided) (s)	
Size	Minimum 3' deep and 5' wide
Façade Coverage	Maximum 30% of front & corner side façades, calculated separately
Access to Balcony	Maximum one (1) dwelling unit
Structure	Independently secured and unconnected to other balconies; or integral to the façade

E. Cap & Base Type Requirements	
Cap Type	Parapet, Flat Roof, Pitched Roof (t)
Tower	Permitted
Street Façade Base Type	Stoop, Porch (u)

F. Façade Materials Requirements ²	
Permitted Façade Materials	Durable, natural materials, such as stone, brick, stucco, metal, and concrete
Permitted Upper Story Façade Materials	Painted or Stained Wood
Required Materials	Minimum 60% masonry on each façade, red brick preferred
Materials to Avoid	Imitation materials intended to look like natural materials; Residential grade windows and doors on the ground story; painted brick or stone
Prohibited Materials on Façades	Concrete masonry units, utility or economy bricks more than 3" in height, untreated wood, and exterior insulation & finishing systems (EIFS)
Façade Colors	Historic Paint Palettes by any major brand, also on file at City Hall

Notes:

² Façade materials requirements apply only to the Canal Park area

50-22.6 Lakefront Corridor Building

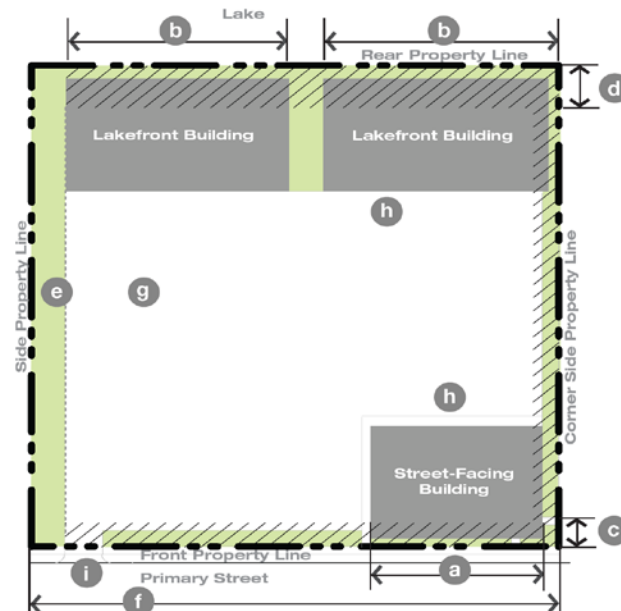


Figure 50-22.13(A): Building Siting.

A. Building Siting		
1. Street & Lake Frontage		
Multiple Principal Buildings	Permitted	
Build-to Zone Coverage:		
Front & Corner BTZ on Street Face	33%	(a)
Rear BTZ on Lakefront	65%	(b)
Occupation of Corner	Required	
Build-to Zone:		
Front & Corner BTZ on Street Face	0-15'	(c)
Rear BTZ on Lakefront	0-25'	(d)
2. Buildable Area		
Side Yard Setback	10% of lot width on each side or aggregate on one side	(e)
Rear Yard Setback	Not applicable	
Lakefront Access Easement	Minimum 50' wide easement from Canal Park Drive to the Lakewalk ¹	
Minimum Lot Width	50'	(f)
Minimum Landscape Area	20%	
3. Parking Lot, Loading & Access		
Parking Lot Location	Must be screened from the Lakefront by building	(g)
Loading Facility Location	Not permitted on Street or Lakefront Façades	(h)
Access	1 driveway permitted per every 140' of street frontage	(i)
Notes:		
¹ Access easements are required at the terminus of any street with Canal Park Drive.		
B. Height		
Minimum Overall Height	1 story	(j)
Maximum Overall Height	4 stories / 55'	(k)
Ground Story: Minimum Height 15'		
Maximum Height ² 24'		
Upper Stories: Minimum Height 9'		
Maximum Height 14'		
Notes:		
² If 20' or more in height, ground story shall count as 2 stories towards maximum building height.		
C. Uses		
Ground Story	Refer to Article 3. Permitted Uses	(n)
Upper Story	Refer to Article 3. Permitted Uses	(o)
Parking within Building	Permitted in the rear of all floors and fully in any basement	(p)
Occupied Space	30' depth space facing Primary Street or space on front façade	

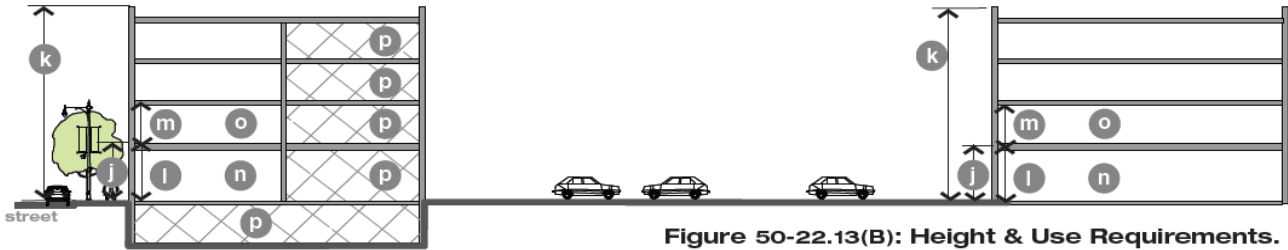


Figure 50-22.13(C): Facade Requirements.

D. Street, Lakefront, and Parking Lot Façade Requirements	
1. Transparency q	
Minimum Transparency	20% per floor
Blank Wall Limitations	Required only on Street and Lakefront Façades
2. Building Entrance r	
Principal Entrance Location	Visible from Street
Number of Entrances:	
Street Façade	1 per 100' of Front Façade
Lakefront Façade	1 per 150' of Front Façade
3. Balconies (if provided) s	
Size	Minimum 3' deep and 5' wide
Façade Coverage	Maximum 30% of front & corner side facades, calculated separately
Access to Balcony	Maximum one (1) dwelling unit
Structure	Independently secured and unconnected to other balconies; or integral to the façade

E. Cap & Base Type Requirements	
Cap Type	Parapet, Flat Roof, Pitched Roof t
Tower	Permitted
Street Façade Base Type	Storefront, Stoop u
Parking Lot Façade Base Type Visible from Street	Stoop, Porch v
Lakefront Façade Base Type	Stoop, Porch
F. Façade Materials Requirements	
Permitted Façade Materials	Durable, natural materials, such as stone, brick, stucco, metal, and concrete
Permitted Upper Story Façade Materials	Painted or Stained Wood
Required Materials	Minimum 60% masonry on each façade, red brick preferred
Materials to Avoid	Imitation materials intended to look like natural materials; Residential grade windows and doors on the ground story; painted brick or stone
Prohibited Materials on Facades	Concrete masonry units, utility or economy bricks more than 3" in height, untreated wood, and exterior insulation & finishing systems (EIFS)
Façade Colors	Historic Paint Palettes by any major brand, also on file at City Hall

50-22.7 Corridor Building III

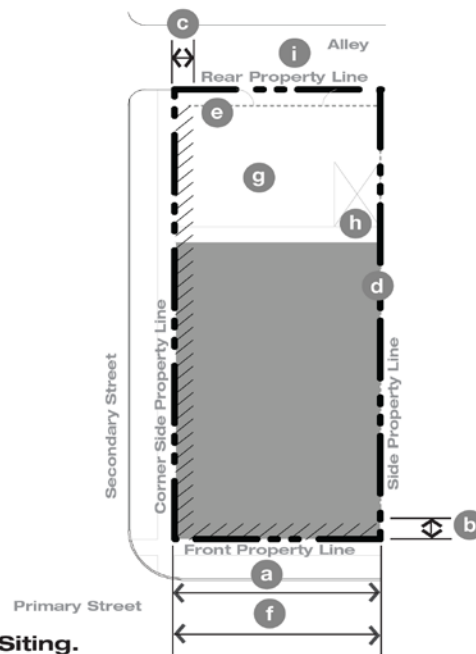


Figure 50-22.14(A): Building Siting.

A. Building Siting		
1. Street Frontage		
Multiple Principal Buildings	Not permitted	
Front Build-to Zone Coverage	85%	(a)
Occupation of Corner	Required	
Front BTZ	0' to 5'	(b)
Corner BTZ	0' to 5'	(c)
2. Buildable Area		
Side Yard Setback	0'	(d)
Rear Yard Setback	5'	(e)
Minimum Lot Width	50'	(f)
Minimum Landscape Area	0%	
3. Parking Lot, Loading & Access		
Parking Lot Location	Rear Yard	(g)
Loading Facility Location	Rear Building Façade	(h)
Access	No driveway permitted if alley access is available; If no alley exists, 1 driveway permitted per frontage	(i)
B. Height		
Minimum Overall Height	1 story	(j)
Maximum Overall Height	6 stories / 80'; 9 stories and 116' on corner parcels only; 15 stories / 188' along Superior street ^{1,2}	(k)
Ground Story: Minimum Height	15'	
Maximum Height ³	24'	(l)
Upper Stories: Minimum Height	9'	
Maximum Height	14'	(m)
Notes:		
¹ 15 Stories/188' height shall be measured from Superior Street		
² 15 Stories permitted from Mesaba Ave to N 4th Ave E on W Superior Street		
³ If 20' or more in height, Ground Story shall count as 2 Stories towards maximum building height.		
C. Uses		
Ground Story	Refer to Article 3. Permitted Uses	(n)
Upper Story	Refer to Article 3. Permitted Uses	(o)
Parking within Building	Permitted in the rear of all floors and fully in any basement	(p)

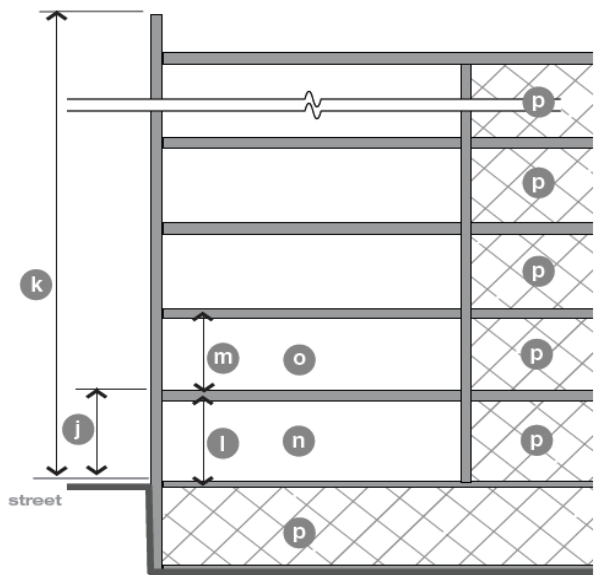


Figure 50-22.14(B): Height & Use Requirements.

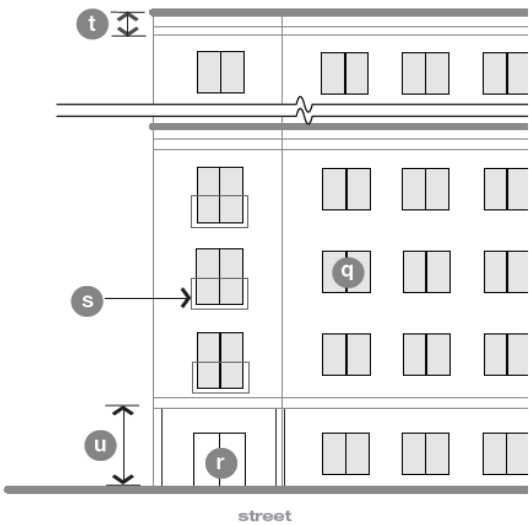


Figure 50-22.14(C): Façade Requirements.

Occupied Space	30' depth space required on all floors facing Primary Streets and on ground floor facing Secondary Streets	Structure	Independently secured and unconnected to other balconies; or integral to the Façade
E. Cap & Base Type Requirements			
1. Transparency		Cap Type	Parapet, Flat Roof
Minimum Transparency	20% per floor	Tower	Permitted
Blank Wall Limitations	Required	Street Façade Base Type	Stoop
2. Building Entrance			
Principal Entrance Location	Front or Corner Side Façade of Building		
Street Façades: Number of Entrances	1 per 75' of Front Façade		
3. Balconies (if provided)			
Size	Minimum 3' deep and 5' wide		
Façade Coverage	Maximum 30% of Front & Corner Side Façades, calculated separately		
Access to Balcony	Maximum one (1) dwelling unit		

50-22.8 Cottage Commercial I

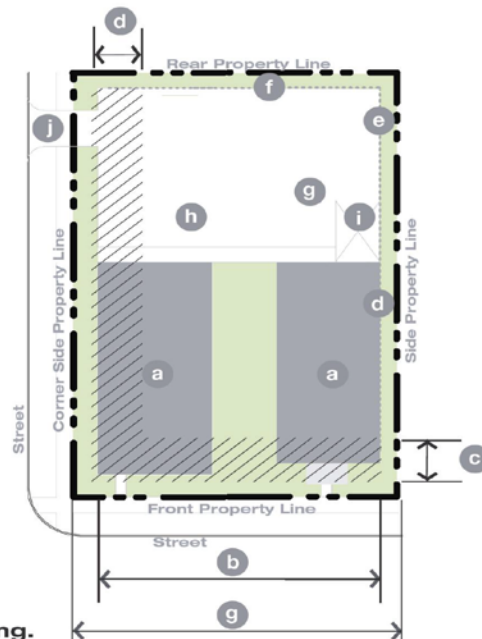


Figure 50-22.15(A): Building Siting.

A. Building Siting		
1. Street Frontage		
Multiple Principal Buildings	Permitted ¹	(a)
Front Build-to Zone Coverage	60%	(b)
Occupation of Corner	Required	
Front BTZ	5' to 20'	(c)
Corner BTZ	5' to 20'	(d)
2. Buildable Area		
Side Yard Setback	5'	(e)
Rear Yard Setback	5'	(f)
Minimum Lot Width	50'	(g)
Minimum Landscape Area	20%	
3. Parking Lot, Loading & Access		
Parking Lot Location	Rear Yard; Single side aisle permitted	(h)
Loading Facility Location	Rear Building Façade	(i)
Access	1 driveway permitted per frontage; 2 driveways may be permitted through [special exception] if frontage exceeds 200'	(j)

Notes:

¹ Each principal building shall have a width of less than 75' and meet the applicable requirements for the Building Type included in this Section.

B. Height		
Minimum Overall Height	1 story	(k)
Maximum Overall Height	2.5 stories / 33'	(l)
Ground Story: Minimum Height	15'	(m)
Maximum Height ²	24'	
Upper Stories: Minimum Height	9'	(n)
Maximum Height	14'	
Notes:		
² If 20' or more in height, Ground Story shall count as 2 Stories towards maximum building height.		
C. Uses		
Ground Story	Refer to Article 3. Permitted Uses	(o)
Upper Story	Refer to Article 3. Permitted Uses	(p)
Parking within Building	Permitted in the Rear of all Floors and fully in any Basement	(q)
Occupied Space	30' depth space facing Primary Street or space on front façade	

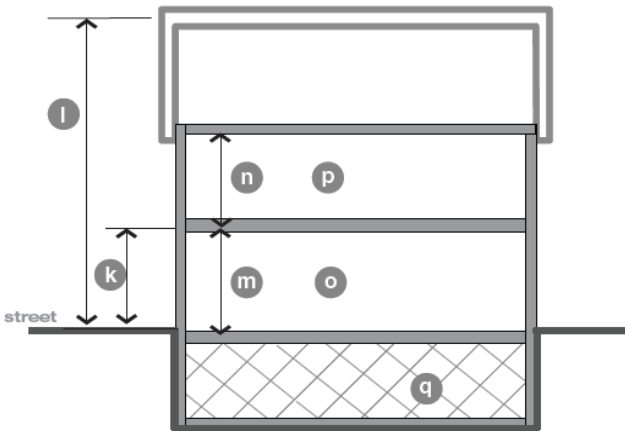


Figure 50-20.15(B): Height & Use Requirements.

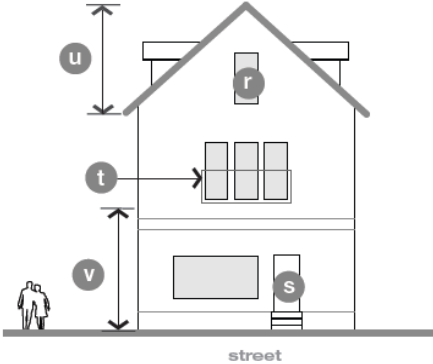


Figure 50-22.15(C): Façade Requirements.

D. Street Façade Requirements	
1. Transparency	r
Minimum Transparency	20% per floor
Blank Wall Limitations	Required
2. Building Entrance	
Principal Entrance Location	Front or Corner Side Façade of building s
Street Façades: Number of Entrances	Not required
3. Balconies (if provided)	t
Size	Minimum 3' deep and 5' wide
Façade Coverage	Maximum 30% of Front & Corner Side Façades, calculated separately
Access to Balcony	Maximum one (1) dwelling unit
Structure	Independently secured and unconnected to other balconies; or integral to the Façade

E. Cap & Base Type Requirements	
Cap Type	Pitched Roof u
Tower	Permitted
Street Façade Base Type	Shopfront, Porch, Stoop ³ v
Notes:	
³ Porch, Stoop, or stairs may encroach to within 2' of the property line	

50-22.9 Cottage Commercial II

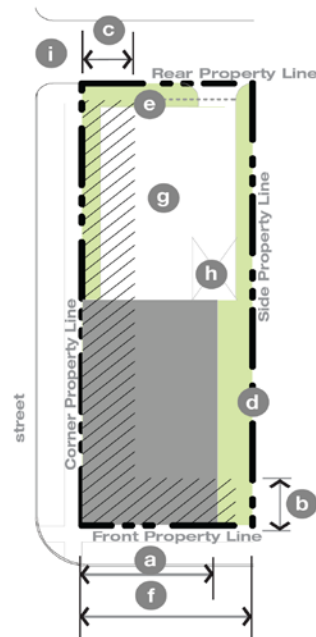


Figure 50-22.16(A): Building Siting.

A. Building Siting		B. Height	
1. Street Frontage		Minimum Overall Height	1 story (j)
Multiple Principal Buildings	Not permitted	Maximum Overall Height	2.5 stories / 33' (k)
Front Build-to Zone Coverage	60% (a)	Ground Story: Minimum Height	15' (l)
Occupation of Corner	Required	Maximum Height ¹	24' (m)
Front BTZ	0' to 15' (b)	Upper Stories: Minimum Height	9' (n)
Corner BTZ	0' to 15' (c)	Maximum Height	14'
2. Buildable Area		Notes:	
Side Yard Setback	0' (d)	¹ If 20' or more in height, Ground Story shall count as 2 Stories towards maximum building height.	
Rear Yard Setback	5' (e)	C. Uses	
Minimum Lot Width	50' (f)	Ground Story	Refer to Article 3. Permitted Uses (n)
Minimum Landscape Area	20%	Upper Story	Refer to Article 3. Permitted Uses (o)
3. Parking Lot, Loading & Access		Parking within Building	Permitted in the Rear of all Floors and fully in any Basement (p)
Parking Lot Location	Rear Yard (g)	Occupied Space	30' depth space facing Primary Street or space on front façade
Loading Facility Location	Rear Building Façade (h)		
Access	No driveway permitted if alley access is available; If no alley exists, 1 driveway permitted per frontage; 2 driveways may be permitted through [special exception] if frontage exceeds 200' (i)		

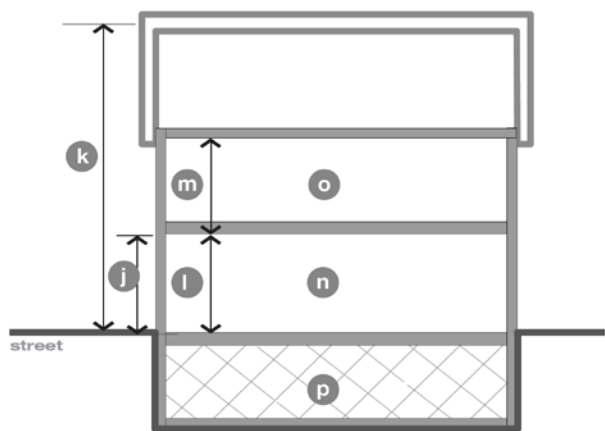


Figure 50-22.16(B): Height & Use Requirements.

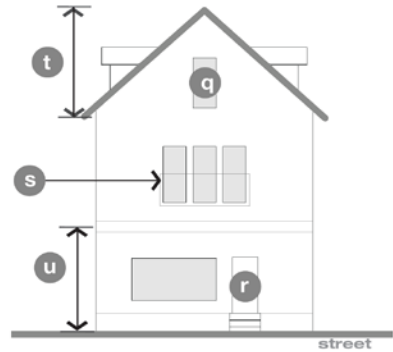


Figure 50-22.16(C): Façade Requirements.

D. Street Façade Requirements		
1. Transparency q		
Minimum Transparency	20% per floor	
Blank Wall Limitations	Not required	
2. Building Entrance		
Principal Entrance Location	Front or Corner Side Façade of Building	r
Street Façades: Number of Entrances	Not required	
3. Balconies (if provided) s		
Size	Minimum 3' deep and 5' wide	
Façade Coverage	Maximum 30% of Front & Corner Side Façades, calculated separately	
Access to Balcony	Maximum one (1) dwelling unit	
Structure	Independently secured and unconnected to other balconies; or integral to the Façade	

E. Cap & Base Type Requirements		
Cap Type	Pitched Roof	t
Tower	Permitted	
Street Façade Base Type	Shopfront, Porch, Stoop	u

50-22.10 Iconic Building

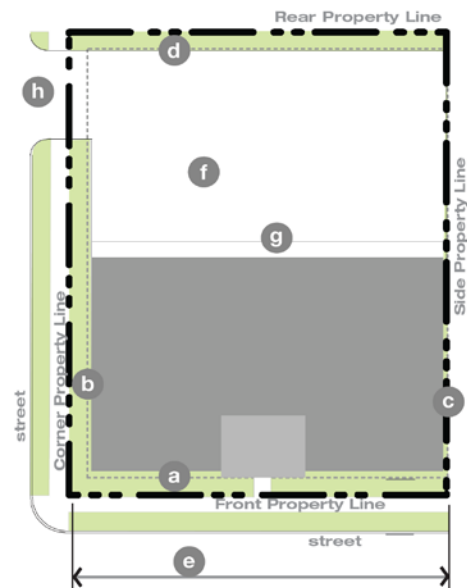


Figure 50-22.17(A): Building Siting.

A. Building Siting		B. Height	
1. Street Frontage		Minimum Overall Height	1 story (i)
Multiple Principal Buildings	Permitted	Maximum Overall Height	4 stories / 55' (j)
Front Build-to Zone Coverage	Not Applicable	Ground Story: Minimum Height	9' (k)
Occupation of Corner	Not required	Maximum Height ¹	30' (l)
Front Setback	5' (a)	Upper Stories: Minimum Height	9' (l)
Corner Setback	5' (b)	Maximum Height	14'
2. Buildable Area		Notes:	
Side Yard Setback	5' (c)	¹ If 20' or more in height, Ground Story shall count as 2 Stories towards maximum building height.	
Rear Yard Setback	5' (d)	C. Uses	
Minimum Lot Width	50' (e)	Ground & Upper Stories	Only Civic, Institutional, Utility, and Recreation uses are permitted in the Iconic Building Type (see Article 3. Permitted Uses). (m)
Minimum Landscape Area	20%	Parking within Building	Permitted in the Rear of all Floors and fully in any Basement
3. Parking Lot, Loading & Access		Occupied Space	30' depth space facing Primary Street or space on front façade
Parking Lot Location	Rear Yard; Single aisle permitted in Side Yard (f)		
Loading Facility Location	Rear Building Façade (g)		
Access	1 driveway permitted per frontage; 2 driveways may be permitted through [special exception] if frontage exceeds 200' (h)		

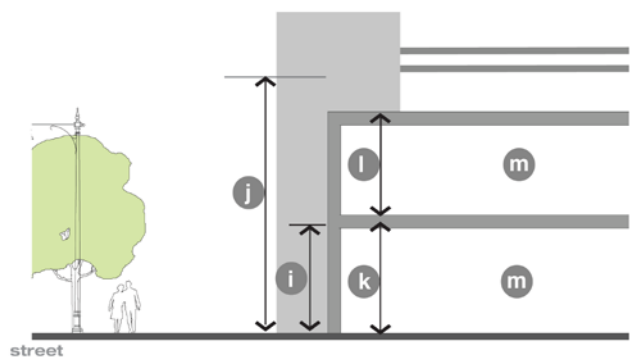


Figure 50-22.17(B): Height & Use Requirements.

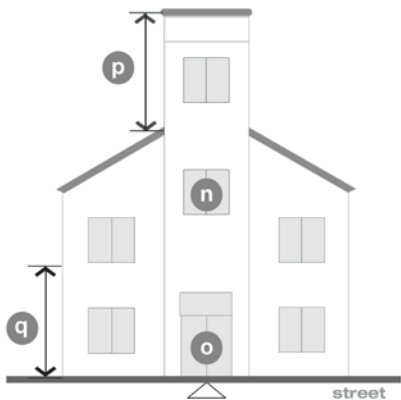


Figure 50-22.17(C): Facade Requirements.

D. Street Façade Requirements		
1. Transparency (n)		
Minimum Transparency	10% per floor	
Blank Wall Limitations	Not required	
2. Building Entrance (o)		
Principal Entrance Location	Front or Corner Side Façade of Building	
Street Façades: Number of Entrances	Not required	

E. Cap & Base Type Requirements		
Cap Type ²	Parapet, Pitched Roof, Flat Roof	(p)
Tower	Permitted	
Street Façade Base Type	Stoop	(q)
Notes:		
² Other cap types not listed here may be approved through a [special exception] (see Section XX)		

50-23 CONNECTIVITY AND CIRCULATION

50-23.1 Applicability and Exemptions

This Section 50-23 shall apply to all new subdivision, replatting, Registered Land Surveys (RLSs), development and redevelopment applications after November 19, 2010. General circulation requirements are listed in subsection 50-23.2, but additional circulation requirements apply in some circumstances. Sites that are (a) located in any zone district other than the RC, RR-1, RR-2, MU-B, I-G, or I-W districts, and (b) larger than 3 acres, and (c) will contain more than one development parcel shall meet the connectivity index requirements of subsection 50-23.3. All new subdivision, replatting, development, and redevelopment applications shall meet the requirements of subsection 50-23.4, and those containing more than one principal building shall meet the requirements of subsection 50-23.5.

50-23.2 General Circulation Requirements

Applications for subdivision, replatting, RLS, development, or redevelopment shall meet the following standards:

- A. Where adopted city plans show a bicycle or pedestrian path or trail or sidewalk, the site design shall provide connections to those paths or trails or sidewalks;
- B. Any requests by the city for designation or dedication of land for bicycle or pedestrian trails within a proposed development shall comply with the provisions of subsection 50-33.8 Land for Public Purposes;
- C. Unless the city engineer waives the requirement based on concerns of public safety or site/topography constraints:
 - 1. Each proposed public or private street within the R-1, R-2, R-P, MU-N, MU-C, MU-I or MU-W districts shall include a sidewalk at least 5 ft. wide on both sides of the street;
 - 2. Each proposed public or private street within the MU-B, I-G or I-W districts shall include a sidewalk at least 5 ft. wide on one side of the street;
- D. Whenever cul-de-sac streets are created, one 10 ft. wide pedestrian access/public utility easement shall be provided, between the cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or pedestrian sidewalk or pathway, unless the city engineer determines that public access in that location is not practicable due to site or topography constraints (Refer to Figure 50-23-A);
- E. A pedestrian way at least 10 ft. in width shall be provided near the middle of any block face longer than 800 ft. in order to provide connections with streets on either side of the block.

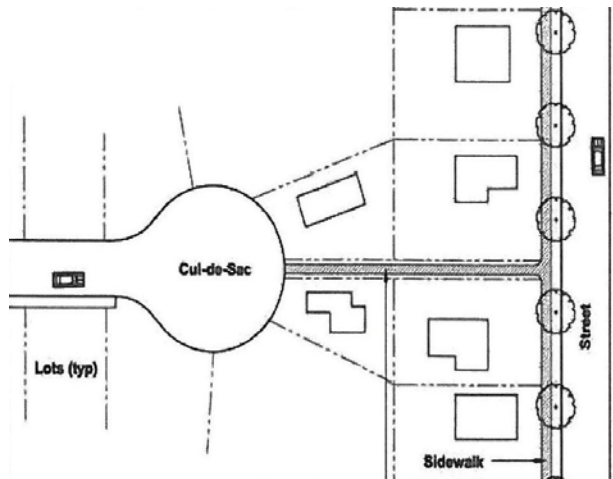


Figure 50-23-A: 10 ft. access easement from head of cul-de-sac to nearest street or path

- F. Any use requiring vehicle access from a public street or alley shall be referred to the city engineer for review before any permits are issued. The city engineer shall consider, but not be limited to, the following factors when determining whether to approve the proposal:
1. The consolidation of curb cuts shall be encouraged, and new curb cuts shall be discouraged whenever appropriate, considering safe traffic flow, the objectives of this chapter, and access points needed for the proper function of the use.
 2. Functional classification of the road where the curb cut is proposed.
 3. The location of driveways shall be at least 100 feet from an intersection. The city engineer may permit driveways closer to an intersection due to limited lot frontage or site/topography constraints.
 4. The location of driveways relative to other existing uses is such that street traffic shall not be seriously disrupted and no unnecessary hazards shall be established for pedestrians.

50-23.3 Connectivity Index for Larger Non-Exempt Developments

A. Requirements

1. A connectivity index is calculated by dividing the number of “links” in the proposed development by the number of “nodes” in the same development.
2. In order to promote walkability and reduce the number and length of vehicular trips both within developments and between new developments and surrounding areas, each development or redevelopment covered by this Section 50-23 shall provide internal junctions and external connections to achieve a connectivity index calculation of at least 1.65.
3. In addition, each street frontage of the development shall include at least 1 street stub or connection to the external street system every 1,500 ft.
4. The land use supervisor may reduce the required connectivity index, the requirement for external street connections, or the requirement for cul-de-sac access easements if compliance with the provisions of this subsection is impracticable due to site or topography constraints.

B. Example

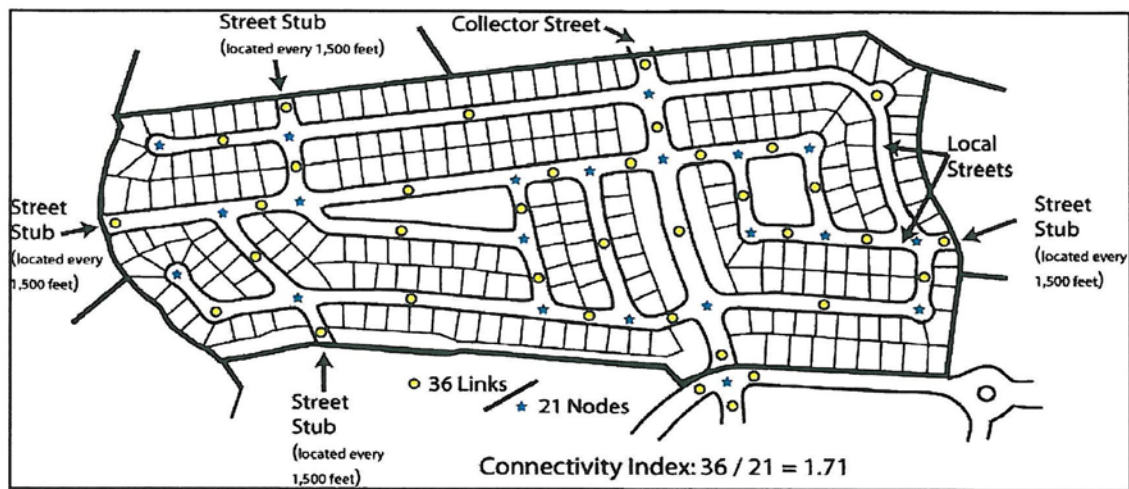


Figure 50-23-B: Example: There are 36 links (circles) and 21 nodes (stars).

50-23.4 Americans with Disabilities Act

All “places of public accommodation,” as defined in the federal Americans with Disabilities Act (42 U.S.C. 12101 et. seq.) shall comply with the requirements of that act concerning on-site circulation and access.

50-23.5 Multi-Building Developments

Commercial developments containing more than 1 principal building on a single lot or parcel shall include an unobstructed walkway or pathway providing access between the principal buildings. The walkway or pathway shall be at least 5 ft. wide.

50-23.6 Skywalks

- A. The location and design of skywalks should not compromise the historic or architectural integrity of existing buildings.
- B. Design of skywalks shall be approved based on their architectural sensitivity, harmony and cohesiveness with the historic/industrial waterfront character of the surrounding area.
- C. New skywalks installed and existing sidewalks remodeled at a cost of more than 50% of their assessed value after November 19, 2010, shall be designed so that 66% of each vertical side elevation is made of glass or transparent materials. A lower level of transparency can be reduced, but not to less than 50%, if a higher level of transparency is technically infeasible due to span length and engineering limitations.

50-24 PARKING AND LOADING

50-24.1 Applicability

The standards of this Section 50-24 shall apply to all development and redevelopment, except that:

- A. Development and redevelopment in any of the Form Districts shall only be required to provide that amount of parking that can be accommodated on the development parcel while allowing the principal building to meet all of the Building Form Standards in Section 50-22.
- B. No off-street parking shall be required for any non-residential use on a lot smaller than 10,000 sq. ft. in any Mixed Use District or Special Purpose District.
- C. No off-street parking shall be required for any building with less than 10,000 sq. ft. of gross floor area and with a non-residential primary use in any Mixed Use District or Special Purpose District.
- D. No off-street parking shall be required within the boundaries of the downtown area shown in Exhibit 50-24.1-1.
- E. No off-street parking shall be required for any use except (1) hotels or motel, and (2) residential developments with more than 10 units, within the boundaries of the Canal Park area shown in Exhibit 50-24.1.1.
- F. Development and redevelopment that is exempt from being required to provide off-street parking but does provide parking, must follow all the provisions of this section.



50-24.2 Required Parking Spaces

In all districts there shall be provided, at the time any building or structure is erected, except as provided in Section 50-24.5 Calculation of Parking Spaces the number of off-street parking spaces shown in Table 50-24-1, unless an exemption from or variation of this requirement is provided in another section of this Chapter.

Table 50-24-1: Off-Street Parking Spaces Required

Use	Requirement
RESIDENTIAL USES	
Dwelling, one-family	1 space per dwelling unit
Dwelling, two-family	
Dwelling, townhouse	
Dwelling, live-work	
Co-housing facility	
Dwelling, Multi-family	1 space per dwelling unit
Assisted living facility (elderly)	1 space per 3 habitable units
Residential care facility	1 space per 9 residential care beds, but not less than 2 spaces
Rooming house	1 space per habitable unit
PUBLIC, INSTITUTIONAL, AND CIVIC USES	
Business, art, or vocational school	1 parking space for each 8 seats in the main auditorium or 3 spaces for each classroom, whichever is greater
Cemetery or mausoleum	No requirement
Club or lodge (private)	1 space per 400 square feet of floor area
Government building or public safety facility	As determined by land use supervisor based on anticipated use and neighborhood impacts
Hospital	2 spaces per 1,000 sq. ft.
Medical or dental clinic	4 spaces per 1,000 sq. ft. of gross floor area
Museum, library, or art gallery	1 space per 1,000 sq. ft. of gross floor area
Nursing home	1 space per 6 beds
Park, playground, or forest reserve	No requirement
Religious assembly	1 space per 4 seats or per 100 sq. ft. in main auditorium, whichever is greater
School, elementary	1 parking space for each 10 seats in the auditorium or main assembly room or 1 space for each classroom, whichever is greater
School, middle or high	1 parking space for each 8 seats in the main auditorium or 3 spaces for each classroom, whichever is greater
University or college	1 space per 500 sq. ft. of office, research, and library area plus 1 space per 1 space per 125 sq. ft. of auditorium space.
Other community facility or institutional support uses not listed	As determined by land use supervisor based on anticipated use and neighborhood impacts
COMMERCIAL USES	
Adult book store	2.5 spaces per 1,000 sq. ft. of gross floor area
Adult entertainment establishment	1 per 200 sq. ft. of gross floor area
Agriculture	No requirement
Automobile filling station	1 per 250 sq. ft. gross floor area plus 1 per service stall
Automobile and light vehicle repair and service	1 per 500 sq ft. of gross floor area
Automobile and light vehicle sales, rental, or storage	1 per 500 sq ft. of gross floor area
Bank	2.5 spaces per 1,000 sq. ft of gross floor area
Bed and breakfast	1 space for manager plus 1 space per habitable unit
Building material sales	1 per 1,000 sq ft. of gross floor area
Business park support activities	1 per 500 sq. ft. of gross floor area

Table 50-24-1: Off-Street Parking Spaces Required

Use	Requirement
Day care facility	1 per 5 persons care capacity
Funeral home or crematorium	1 space per 50 square feet of floor space in slumber rooms, parlors, or individual funeral service rooms
Garden material sales	1 per 1,000 sq. ft. of gross floor area
Golf course	1 space for every 400 square feet of clubhouse area
Hotel or motel	2 per 3 guest rooms plus 1 per 200 sq. ft. of gross floor area in all accessory uses including restaurants and meeting rooms
Indoor entertainment facility	1 space per 400 sq. ft. of gross floor area.
Kennel	1 per 1,000 sq. ft. of gross floor area
Marina or yacht club	1 per 400 sq. ft. of clubhouse area, plus 1 per 10 boat slips
Mini-storage facility	1 per 20 storage units
Office	2.5 per 1,000 sq. ft. of gross floor area
Parking lot or parking structure (primary use)	No requirement
Restaurant (no drive-in/drive-through)	1 per 200 sq. ft. of gross floor area
Restaurant (drive-in/drive-through)	1 per 200 sq. ft. of gross floor area
Retail store not listed elsewhere	3 per 1,000 sq. ft. of gross floor area
Riding Stable	No requirement
Seasonal camp or cabin	1 space for every two beds, or for each cabin or sleeping unit, whichever is greater
Theater	1 space per 6 seats or per 100 sq. ft. in main auditorium, whichever is greater
Tourist or trailer camp	2 per 3 sleeping rooms, suites, or trailer spaces
Truck or heavy vehicle sales, rental, repair, or storage	1 per 1,000 sq. ft. of gross floor area
Veterinarian or animal hospital	1 per 400 sq. ft. of gross floor area
Personal service or repair not listed	1 per 400 sq. ft. of gross floor area
Other commercial use not listed	As determined by land use supervisor based on anticipated use and neighborhood impacts
INDUSTRIAL USES	
Airport and related facilities	As determined by airport management
<ul style="list-style-type: none"> • Electric power or heat generation plant • Electric power transmission line • Junk and salvage services • Major utility or wireless communication tower • Radio or television broadcasting tower • Railroad or shipyard and related facilities • Solar or geothermal power facility (primary use) • Truck freight or transfer terminal • Water or sewer works • Wind power facility (primary use) • Bulk storage not listed 	No requirement
<ul style="list-style-type: none"> • Contractor's shop and storage yard • Dry cleaning or laundry plant • Recycling collection point (primary use) • Solid waste disposal or processing facility 	1 per 1,000 sq. ft. of gross floor area

50-24: Parking and Loading

Table 50-24-1: Off-Street Parking Spaces Required

Use	Requirement
<ul style="list-style-type: none">• Manufacturing, light Manufacturing, heavy Manufacturing, hazardous or special• Storage warehouse• Water-dependent manufacturing, light or heavy• Wholesaling	1 per 1,000 sq. ft. of gross floor area
Research laboratory	As determined by land use supervisor based on anticipated use and neighborhood impacts
Other Industrial uses not listed	As determined by land use supervisor based on anticipated use and neighborhood impacts
ACCESSORY USES	
Accessory bed and breakfast	1 space for primary use dwelling; plus 1 space per habitable unit
Accessory caretaker quarters	1 space
All other accessory uses	No requirement
TEMPORARY USES	
Temporary real estate sales office	2 spaces
All other temporary uses	No requirement

50-24.3 Adjustment to Required Off-Street Parking

The minimum parking requirements listed in Section 50-24.2 above shall be adjusted as follows:

A. Proximity to Transit

1. The minimum number of off-street parking spaces required for any development or redevelopment lands may be reduced by 30% if they are located within 1/4 mile of existing Duluth Transit Authority routes in operation for one year, or they may be reduced by 20% if located within 1/2 mile of any Duluth Transit Authority transit center, as indicated by a "T" on Exhibit 50-24.3-1.
2. If an existing transit route or center is eliminated or changed in location, any development approved in conformance with this Section 50-24.3 shall not be deemed nonconforming in terms of required parking.

B. Sharing of Parking Spaces

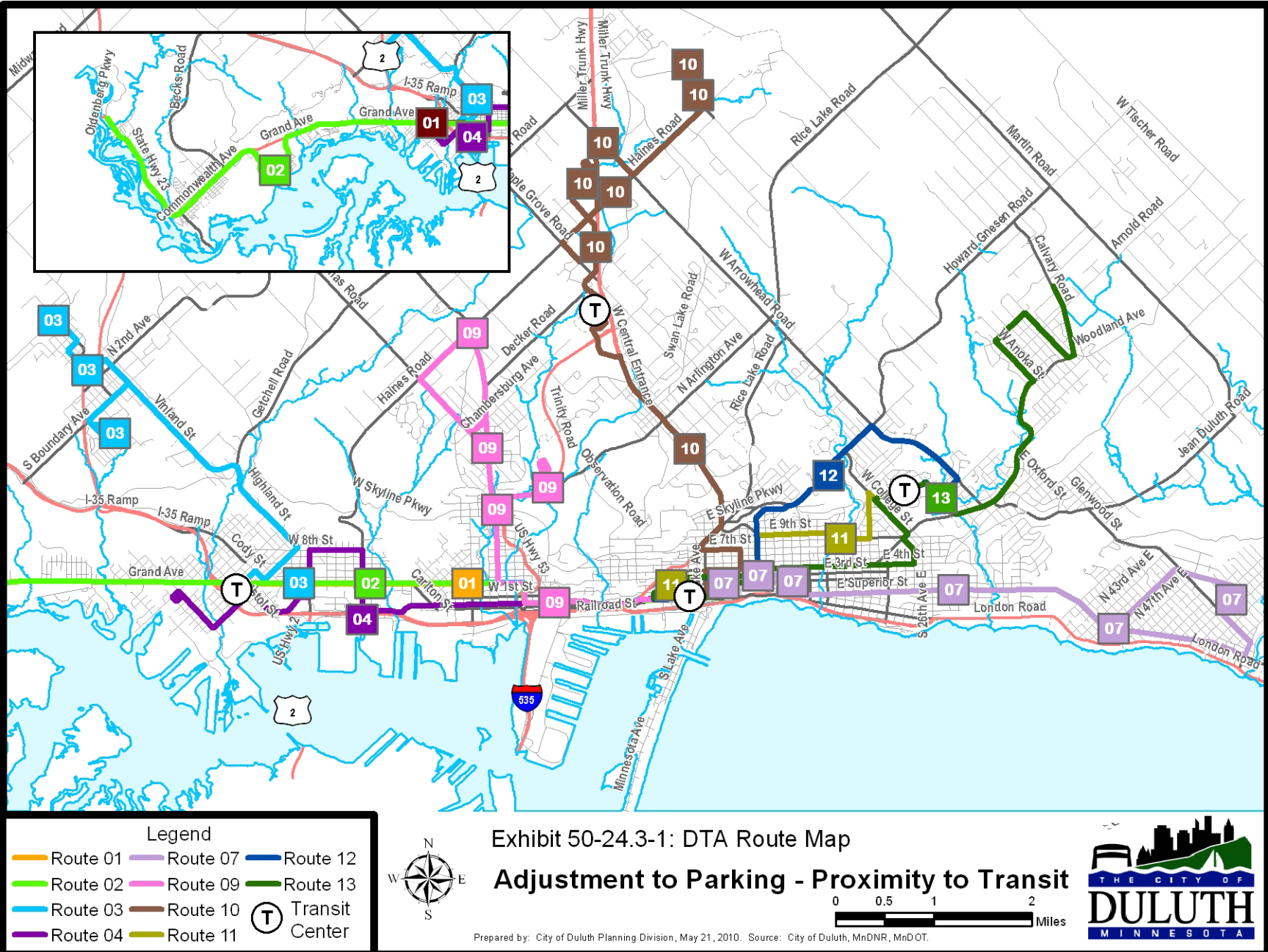
1. General

Where two land uses listed in separate use categories in Table 50-19.8 share a parking lot or structure, the total off-site parking required for those uses may be reduced by the factors shown in Table 50-24-2. Total off-street parking required shall be the sum of the two parking requirements for the two uses divided by the factors in Table 50-24-2. If uses in three or more categories of Table 50-19.8 share a parking lot or structure, the land use supervisor shall determine the parking reduction based on the relative sizes of the various uses and the reduction factors listed in Table 50-24-2.

Table 50-24-2: Shared Parking Reduction Factors Add the two parking requirements and divide by these factors					
Property Use	Multi-family Residential	Public, Institutional, or Civic	Food, Beverage, Indoor, Entertainment, or Lodging	Retail	Other Commercial
Public, Institutional, or Civic	1.1	1.0			
Food, Beverage, Indoor, Entertainment, or Lodging	1.1	1.2	1.0		
Retail	1.2	1.3	1.3	1.0	
Other Commercial	1.3	1.5	1.7	1.2	1.0

2. Additional Sharing Permitted for Certain Uses

As an alternative to those reduction factors listed in Table 50-24-2, (a) up to 50% of the parking spaces required for food, beverage and indoor entertainment uses, and up to 100% of parking spaces required for religious assembly uses and elementary, middle, high school, university or college auditoriums may be used jointly by (b) any non-residential use not normally open, used or operated during the same hours as those listed in (a), or any non-residential use that has excess parking capacity based on the minimum off-street parking for that use. A written agreement assuring the continued availability of the parking spaces for the uses they serve shall be required on a form approved by the city and shall be filed with the application for a building permit.



50-24.4 Maximum Parking Limit

No more than 150% of the minimum required number off-street parking spaces, excluding the adjustments allowed in 50-24.3, shall be provided. This limit does not apply to the following uses: one-family, two-family, townhouse, and live-work dwellings.

50-24.5 Calculation of Parking Spaces

The following rules shall apply to calculation of the number of required parking spaces:

- A. Floor area shall mean the gross floor area of the specific use;
- B. Requirements for a fraction of a parking space shall be ignored;
- C. The parking space requirement for a use not specifically listed in Table 50-24-1 shall be the same as for the most similar use listed in that table, as determined by the land use supervisor;
- D. Whenever a building or use is enlarged to the extent of 25% or more in floor area or in the site area used, the building or use shall be required to (a) retain any on-site parking existing prior to the expansion, and if that is not sufficient to comply with the parking required for the use as expanded, then (b) to comply with the requirements in Table 50-24-1 for the expansion area.

50-24.6 Location of Parking Spaces

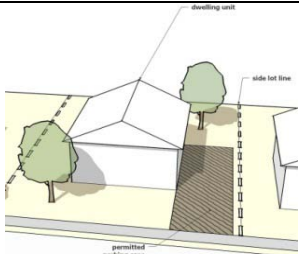
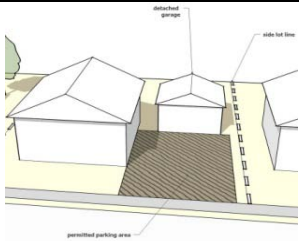
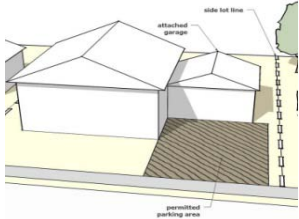
A. On Site Location and Exceptions

- 1. All required parking spaces shall be located on the same lot with the principal building or the primary use served; except as provided in subsection 2 below.
- 2. Where an increase in the number of spaces is required by a change or enlargement of any use other than a single-family dwelling, two-family dwelling, or townhouse, the required spaces may be located and maintained up to 500 ft. from the lot containing that use. Where required parking spaces are not provided on site, a written agreement assuring the continued availability of the parking spaces for the uses they serve shall be required on a form approved by the city and shall be filed with the application for a building permit.

B. Parking Location Within the Site

Unless a front yard parking permit was issued for the property on or before June 1, 2009, required parking spaces shall only be provided on those portions of the lot indicated in Table 50-24-3.

Table 50-24-3: Permitted Parking Areas

Type of Lot	Permitted Parking Area	
Residential Districts		
All Lots	The rear yard and one side yard	
Non-corner lot with dwelling unit and no garage	The area between one side lot line and the nearest side wall of the dwelling unit and its extension to the improved street abutting the front yard. (See diagram to the right)	
Non-corner lot with dwelling unit and detached garage	The area between the closest side lot line to the side wall of the dwelling unit nearest to the garage, and its extension to the improved street abutting the front yard. (See diagram to the right)	
Non-corner lot with dwelling unit and attached garage	The area between the closest side lot line to the common wall separating the dwelling unit and garage, and its extension to the improved street abutting the front yard. (See diagram to the right)	
Corner lot	By variance per Section 50-37.9	
Mixed Use and Special Purpose Districts		
All Mixed Use and Special Purpose Districts	Buildings or projects constructed after November 19, 2010, shall locate no more than 50% of off-street accessory parking within the front yard.	
Form Districts	Parking only permitted on those portions of the lot permitted for the building type being constructed pursuant to Sections 50-16 and 50-22.	

50-24.7 Parking Design Standards

A. General Standards

The design of required off street parking areas and spaces shall meet the standards shown in Table 50-24-4.

Table 50-24-4: Parking Design Standards		
Parking Space Size*		
Size of Car	Size of Parking Space	
Small	8.5 ft. x 15 ft.	
Standard	9 ft. x 17 ft.	
Aisle Widths		
Angle of Parking	Width of Aisle	
	One-Way	Two-Way
Parallel/no parking	11 ft.	21 ft.
30 degree	11 ft.	21 ft.
45 degree	13 ft.	23 ft.
60 degree	18 ft.	25 ft.
90 degree	24 ft.	25 ft.
Permitted Percentage of Small Car Spaces (Applies to lots with more than 5 spaces)		
Size of Parking Lot	Maximum Percentage of Small Cars	
6 to 100 spaces	40%	
100 to 149 spaces	45%	
150 or more spaces	50%	
Required Surface Treatment/Paving		
Zone District	Requirement	
All residential district parking areas not in lawful existence on June 1, 2009.	Surfaced in a dust free, hard surface material such as concrete or bituminous, or pervious paving materials, except for rear yards, which may be surfaced in aggregate materials, compressed aggregates or similar surfaces.	
All Mixed Use and Special Purpose Districts	All parking areas shall be surfaced in a dust free, hard surface material such as concrete or bituminous. Pervious paving material shall be approved by the city engineer.	

*The area set aside for a parking space may encroach beyond the face of a curb a maximum of 1.5 ft., provided that (a) it does not include trees, posts, or other obstructions that would prevent a vehicle from fully utilizing the space, and (b) it is not included in required open space, landscape area requirements, or required pedestrian walkways.

B. Snow Storage Areas

A portion of the each accessory surface parking area shall be designated for snow storage. The areas required to meet the minimum parking requirements of this Section 50-24 shall not be used for snow storage. Snow storage areas may be landscaped if the vegetation is selected and installed so as not to be harmed by snow storage. Snow storage areas shall not count towards those landscape areas required by Section 50-25 unless they are integrated with a side or rear buffer required by Section 50-25.

C. Parking Lot Walkways

Each surface parking area that (a) serves a multi-family residential, commercial, public, institutional, civic, or mixed use, and (b) contains 50 or more parking spaces, and (c) contains any parking spaces located more than 300 ft. from the front façade of the building shall contain at least one pedestrian walkway allowing pedestrians to pass from the row of parking furthest from the primary building façade to the primary building entrance or a sidewalk allowing the pedestrian to reach the primary building entrance without crossing additional driving spaces or aisles. The required walkway must be at least 5 ft wide, shall not be located within a driving aisle, and shall be located in a landscaped island running perpendicular to the primary building façade if possible. If located in a landscaped island, the minimum width of the island shall be increased by 5 ft. to accommodate the walkway without reducing the amount of landscaped area. If any parking space in the parking aisle located furthest from the primary structure is more than 200 ft. from the walkway, additional similar walkways shall be required within 200 ft. of those spaces. If there is a public sidewalk along the street frontage located within 50 ft. of any required walkway, the walkway shall connect to that sidewalk.

50-24.8 Required Loading Space

Unless otherwise provided in this Chapter, all construction of new buildings or expansions of existing buildings shall provide off street loading space shown in Table 50-24-5 below.

Table 50-24-5: Off-Street Loading Space Standards	
Type of Use or Facility	Off-Street Loading Requirement
Office, hotel or motel	1 space for 20,000 sq.ft. of gross floor area
Personal service and repair not otherwise listed; building material sales; garden material sales; retail store not listed (large); automobile and light vehicle repair and service, automobile and light vehicle sales, rental, or storage; truck or heavy vehicle sales, rental, repair, or storage; wholesaling.	1 space for 20,000-50,000 sq.ft. of gross floor area; and 2 spaces for more than 50,000 sq.ft. gross floor area.
Manufacturing	1 space for 25,000 to 50,000 sq.ft. of gross floor area; 2 spaces for more than 50,000 sq.ft. of gross floor area.

50-25 LANDSCAPING AND TREE PRESERVATION

50-25.1 Applicability

- A. The landscaping provisions of Sections 50-25.2 through 25.9 shall apply to lots and parcels in any zone district that contain (i) more than 10,000 sq. ft. of lot area, and (ii) a primary structure with a multi-family, mixed use, commercial, institutional, industrial, or parking principal use, when any of the following conditions occur:
 - 1. A new primary structure is constructed;
 - 2. The floor area in an existing primary structure(s), taken collectively, is increased by more than 25%;
 - 3. An existing primary structure is relocated on the lot or parcel;
 - 4. The primary structure is renovated or redeveloped (including but not limited to reconstruction after fire, flood or other damage), and the value of that renovation or redevelopment, as indicated by building permits, is more than 25% of the market value of the land and buildings, as indicated by tax assessor's records;
 - 5. A new primary use parking lot containing 25 or more spaces is constructed;
 - 6. An existing primary use parking lot containing 25 or more spaces is redesigned or reconstructed with significant changes to the layout of parking spaces, driving aisles and access drives.
- B. In any Form District, landscaping shall not be required on the portion of a lot occupied by a principle structure.
- C. The tree preservation provisions of Section 50-25.9 apply to all development or redevelopment on lots and parcels in any zone district that contain (i) more than 10,000 sq. ft. of lot area, and (ii) a primary structure with a multi-family, mixed use, commercial, institutional, industrial, or parking principal use, as well as to any new lot of record created after November 19, 2010, regardless of the primary use of the property, in any zone district.

50-25.2 General Landscaping Standards

A. Landscape Plan Required

A landscape plan shall be submitted as a part of all development applications for those activities listed in Section 50-25.1.A, unless the land use supervisor determines that compliance with the provisions of Section 50-25 can be demonstrated without the use of a landscape plan. A landscape plan may be combined with other required application materials if compliance with Section 50-25 can be demonstrated in the combined materials.

B. Plant Materials

Plant materials shall be from the city's approved landscaping plant list as shown in the UDC Application Manual. All plant material shall be hardy to Northeast Minnesota, suitable for the site, free of disease and insects and conform to the American Standard for Nursery Stock of the American Nursery and Landscape Association.

C. Minimum Living Materials

In all areas where landscaping is required, a minimum of 50% of the surface area shall be covered by living materials, rather than bark, gravel or other non-living materials.

D. Existing Vegetation

Existing vegetation shall be protected during construction through use of a fence around an area sufficient to protect the health of the vegetation, and shall be incorporated into the landscape plan wherever possible.

E. Vegetation Grouping

Landscaping shall generally incorporate large irregular groupings of the same species of shrub, avoiding rigid or repeated specimen planting except for boulevard trees, and shall introduce multiple varieties within one general area. Except for plantings used for screening, no one species of tree or shrub may make up more than 50% of the total amount of landscape plantings.

F. Soil Condition

All required landscaping shall be planted in uncompacted soil with a minimum depth of 2 ft.

G. Grading and Drainage

All open areas shall be graded, properly drained and maintained according to storm water standards in Section 50-18.1.E.

H. Raingardens and Storm Water Management Features

Areas included in raingardens or vegetated site features created to meet storm water management requirements in Section 50-18.1.E shall be counted towards any required interior site or parking lot landscaping, and if vegetated to meet the requirements for any landscaped buffers shall count towards those buffer requirements.

I. Minimum Plant Sizes

Where included as part of the required landscaping, deciduous trees shall have a minimum caliper of 2.5 in., coniferous trees shall be a minimum of 6 ft. in height, large shrubs shall be of a minimum 5 gal. container size and have a height of at least 6 ft. at maturity, small shrubs shall be of a minimum 5 gal. container size and have a height of less than 6 ft at maturity, and ground cover shall be of a minimum 1 gal. container size. The above dimensions apply to sizes at time of planting.

J. Plant Material Spacing

Except for buffer zone provisions of Section 50-25.5, Landscaping Between Differing Land Uses, plant materials shall not be placed closer than 4 ft. from any fence line or property line. Where tree planting requirements are based on linear street frontage, areas occupied by driveways shall be included when calculating the number of trees required to be planted, and any trees that would otherwise be required in driveways shall be planted in other landscaped front yard areas unless prohibited by minimum spacing requirements for that species as recommended by the American Standard for Nursery Stock of the American Nursery and Landscape Association. The land use supervisor may authorize adjustments to these spacing requirements when required due to topography, drainage, utilities or obstructions, provided that the total amount of required landscaping is not reduced.

K. Snow Storage Areas

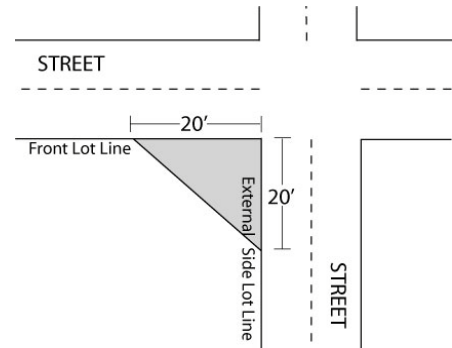
Areas required for snow storage and areas required for landscaping shall not overlap, except that snow may be stored on ground cover landscape areas (e.g., turf) that do not contain required landscape trees or other plantings.

L. City Right-of-Way

Tree removal or planting in city rights-of-way shall be done only with the approval of the city forester.

M. Protection of Site Distances

On any corner lot on which a front and side yard are required, no wall, fence, structure, sign, or any plant growth that obstructs sight lines at elevations between 2.5 ft. and 6 ft. above the driving surface of the adjacent roadway shall be maintained in a triangle formed by measuring from the point of intersection of the front and exterior side lot lines a distance of 20 ft. along the front and side lot lines and connecting the points so established to form a right triangle on the area of the lot adjacent to the street intersection.



N. Delay of Installation Due to Season

Whenever the installation of required landscaping is not possible by the time construction on the primary structure or primary use parking lot has been completed, the city may authorize a delay in installation until no later than the following June 30. As a condition of authorizing a delay in installation, the city may require that a surety or other guarantee, in a form acceptable to the city, in the estimated amount of such installation be provided, or the city may issue a temporary certificate of occupancy, with the permanent certificate of occupancy to be issued following installation of all required landscaping.

O. Flexibility for Redevelopment

Where the requirements of this Section 50-25 apply to a redevelopment or reconstruction project, rather than a new development, the land use supervisor may authorize a reduction of minimum off-street parking requirements established in Section 50-24 by up to 10% if required to accommodate street frontage landscaping required by Section 50-25.3 or parking area landscaping required by Section 50-25.4.

50-25.3 Street Frontage Landscaping

The street frontage of the property shall meet the following landscaping requirements.

- A. Minimum average depth: See Table 50-25-1. An average depth allows the width of the landscape area to vary in size along different portions of the property to respond to varying site conditions and allow design flexibility.

Table 50-25-1: Average Depths of Street Frontage Landscaping Required	
Context	Average Depth Required
Lots with no required front setback, and where the primary building abuts the front lot line	Exempt
Lots with less than 10,000 sq. ft. or lot area.	Exempt
Lots with 10,000 to 20,000 sq. ft. of lot area.	5 ft. along all street frontages
Lots over 20,000 sq. ft. of lot area.	15 ft. in front street yards 10 ft. in side street yards 5 ft. on rear lot lines of double frontage lots
Form districts	Consistent with front yard landscaping depth, if any, in surrounding properties in the same district.

- B. Required trees: 1 tree per 35 ft. of linear frontage, planted (a) in alignment with any similar street frontage landscaping on adjacent lots, or if that is not possible or adjacent lots do not contain front yard landscaping then (b) as close to the public right-of-way as the city engineer will permit.
- C. Required shrubs: 1 large shrub per 25 ft. of linear frontage.
- D. On lots adjacent to city-maintained boulevards, landscaping in the boulevards may be credited towards the landscaping requirements of this Section 50-25.3.

50-25.4 Parking Lot Landscaping

Accessory and primary use parking lots shall provide the following amounts and types of landscaping unless alternative standards for specific situations are required pursuant to Section 50-26 Screening, Walls, and Fences or Section 50-30, Design Standards. In any case where landscaping required by this Section 50-25.4 overlaps areas required to be landscaped by any other provision of this Section 50-25, the provisions of the section requiring more planting shall apply.

A. Perimeter Screening From Public Streets

1. Minimum width: 5 ft.
2. Required trees: 1 tree per 35 ft. of linear frontage.
3. Required shrubs: 3 large shrubs per 25 ft. of linear frontage, or if a berm or an opaque fence or wall at least 3 ft. tall is erected, 3 small shrubs per 25 ft. of linear frontage.



Figure 50-25.4-A: Parking lot screening from public right-of-way

B. Interior Landscaping Requirements

Except as provided in this section, parking lots shall provide the following landscaping internal to the parking lot:

1. Minimum area: 15% of the interior parking lot area (excluding any perimeter areas required to be landscaped by Sections 50-25.3, 50-25.4.A or B, or 50-25.5) for parking lots with more than 50 spaces, or 10% of the interior parking lot area for parking lots between 25 and 50 spaces.

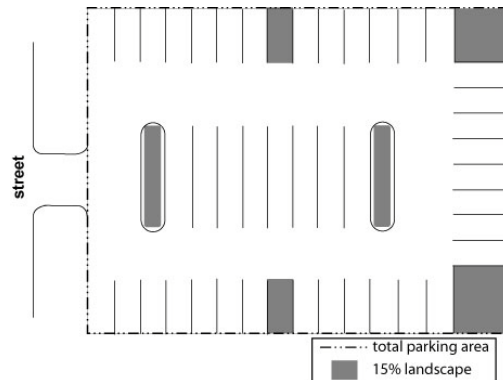


Figure 50-25.4-B: Required interior parking lot landscape areas

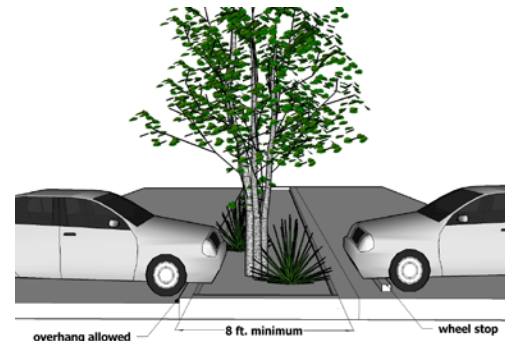


Figure 50-25.4-C: Minimum width of interior parking lot landscape areas

2. Location: Internal landscape areas shall be dispersed on the site to break up the perception of large uninterrupted expanse of pavement (See Figure 50-25.4-B);
3. Required trees: 1 tree per 300 sq. ft. of internal landscape area. Tree species shall be chosen so that, combined with trees planted under subsections A. and B. above, parking lots will have a minimum tree canopy coverage of 30% at maturity;
4. Landscape areas shall be a minimum of 8 ft. in width (See Figure 50-25.4-C);
5. Curbing: Internal landscape areas shall be curbed for protection of the landscape materials, but planted areas shall be installed at a lower grade than the parking lot pavement, and curbing shall allow drainage from the pavement to enter and percolate through the landscaped areas.
6. Parking areas with less than 25 spaces are exempt from the provisions of 1 through 5 of this section, but must provide a minimum tree canopy of 30% at maturity.

50-25.5 Landscaping Between Differing Land Uses

In addition to landscaping required by Sections 50-25.3 and 50-25.4, buffer areas are required to be landscaped when specific types of differing land uses occur adjacent to each other. These standards do not apply when the listed types of adjacencies occur within Mixed Use or Form Districts, but do apply where the boundaries of a Mixed Use or Form District are adjacent to a residential or special purpose zone district. In any case where landscaping required by this Section 50-25.5 overlaps areas required to be landscaped by any other provision of this Section 50-25, the provisions of the section requiring more planting shall apply. These requirements only apply at the time of development or redevelopment (i.e., later development of an abutting land use will not result in an existing development being required to install buffer landscaping).

A. Multi-Family Residential Abutting Single-Family Residential

Where a multi-family residential building or project with more than 8 units abuts (a) a lot in the RC, RR-1, RR-2, or R-1 zone district, or (b) a lot in the R-2 district that is developed with a one-family use, a landscape buffer shall be provided using either Option A or B below.

1. Option A

A landscape buffer area at least 10 ft. wide shall be provided by the multi-family project on the shared border. The buffer area shall consist of natural landscape materials such as lawn, ground cover, shrubs, and trees, and shall not contain impervious materials. One tree shall be provided for every 35 ft. of boundary lot line and 3 large shrubs per 25 ft. of boundary lot line, with spacing designed to minimize sound, light, and noise impacts on single-family residential homes.

2. Option B

An opaque wall, berm, fence or dense (at least 50% opacity) vegetative screen at least 6 ft. tall shall be provided. If a fence or wall is provided, the side facing away from the multi-family use shall be at least as finished in appearance as the side facing the multi-family use, and 3 small shrubs per 25 ft. of boundary lot line shall be provided. If a vegetative screen is proposed, it shall be at least 6 ft. in height at the time of planting.

B. Commercial or Institutional Abutting Residential

Where a commercial, public, institutional, or civic building or project abuts lots in a residential district, a landscape buffer shall be provided using either Option A or B below.

1. Option A

A landscape buffer at least 15 ft. wide shall be provided by the commercial or institutional project on the shared border. The buffer area shall consist of natural landscape materials such as lawn, ground cover, shrubs, and trees, and shall not contain impervious materials. One tree shall be provided for every 35 ft. of boundary lot line and large 3 shrubs per 25 ft. of shared lot line, with spacing designed to minimize sound, light, and noise impacts on the residential use.

2. Option B

An opaque wall, berm, fence or dense (at least 75% opacity) vegetative screen at least 6 ft. shall be provided. If a fence or wall is provided, the side facing away from the commercial or institutional use shall be at least as finished in appearance as the side facing the commercial or institutional use, and 3 small shrubs per 25 ft. of boundary lot line shall be provided. If a vegetative screen is proposed, it shall be at least 6 ft. in height at the time of planting.

C. Industrial Abutting Residential

Where an industrial building or project abuts lots in a residential district or lots used for any use listed as a residential use in Table 50-19.8, a landscape buffer shall be provided using either Option A or B below.

1. Option A

A landscape buffer at least 15 ft. wide shall be provided by the industrial project on the shared border. The buffer area shall consist of natural landscape materials such as lawn, ground cover, shrubs and trees, and shall not contain impervious materials. One tree shall be provided for every 25 ft. of boundary lot

line and 4 large shrubs per 25 ft. of boundary lot line, with spacing designed to minimize sound, light and noise impacts on residential uses.

2. Option B

An opaque wall, berm, fence or dense (100% opacity) vegetative screen at least 8 ft. tall shall be provided. If a fence or wall is provided, the side facing away from the industrial use shall be at least as finished in appearance as the side facing the industrial use, and 3 small shrubs per 25 ft. of boundary lot line shall be provided. If a vegetative screen is proposed, it shall be at least 8 ft. tall at the time of planting.

D. Industrial Abutting Commercial or Institutional

Where an industrial building or project abuts lots that are used or zoned for commercial, institutional or mixed use purposes, a landscape buffer shall be provided by using either Option A or B below.

1. Option A

A landscape buffer at least 10 ft. wide shall be provided by the industrial project on the shared border. The buffer area shall consist of natural landscape materials such as lawn, ground cover, shrubs and trees, and shall not contain impervious materials. One tree shall be provided for every 40 ft. of boundary lot line and large 4 shrubs per 20 ft. of boundary lot line, with spacing designed to minimize sound, light and noise impacts on commercial or institutional uses.

2. Option B

An opaque wall, berm, fence or dense (50% opacity) vegetative screen shall be provided with a minimum height of six ft. If a fence or wall is provided, the side facing away from the industrial use shall be at least as finished in appearance as the side facing the industrial use, and 3 small shrubs per 25 ft. of boundary lot line shall be provided. If a vegetative screen is proposed, it shall be at least 6 ft. tall at the time of planting.

50-25.6 Landscaping Credit to Preserve Existing Trees

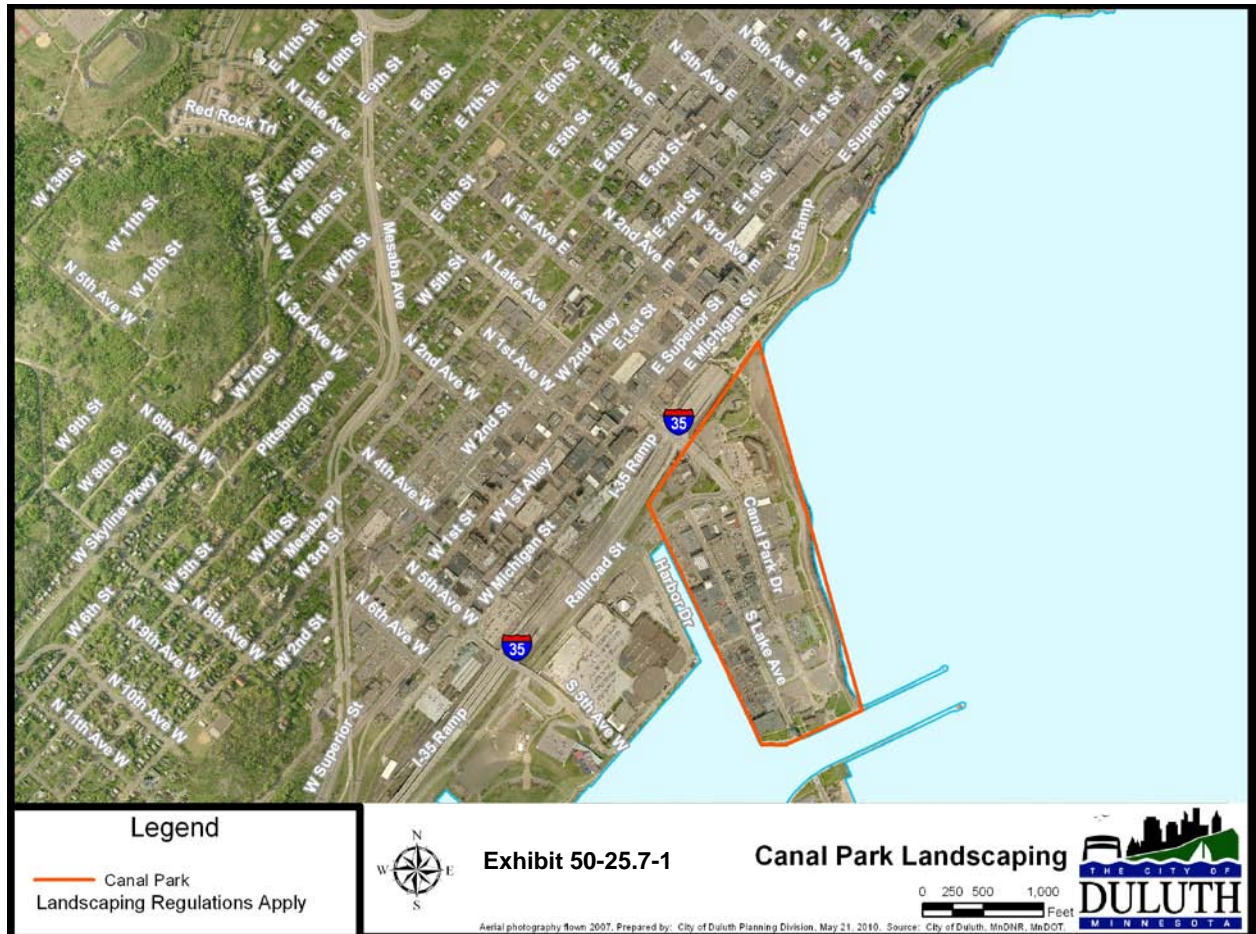
Landowners who preserve mature, non-diseased trees as part of a development project may obtain credits toward the required landscaping. Trees intended to be preserved shall be indicated on the landscaping plan and shall be protected during construction through use of a fence around the critical root radius. To obtain credit, the preserved trees shall be of a high quality and at least 5 in. diameter at breast height (DBH) in size. Trees located in any portion of the site protected from development or protected in its natural state as part of a zoning permit, approval or agreement shall not be eligible for credit against required landscaping on the remainder of the site. The credit for preserved trees shall be as shown in Table 50-25-2. Any preserved trees for which credit is given, and that are lost to damage or disease within two years after the credit is awarded shall be replaced by the land owner with trees otherwise required. The total amount of tree credits cannot exceed 50% of the required tree landscaping requirement. The entity receiving credit shall file with the city a certificate from a forester, arborist or landscape architect that states this section has been complied with.

TABLE 50-25-2: Tree Preservation Credits	
DBH of Preserved Tree (in in.)	Numbers of Trees Credited
Over 12 in.	3
8 in. to 11.9 in.	2
5 in. to 7.9 in.	1

50-25.7 Special Landscaping Provisions in Canal Park Area

In Canal Park as shown in Exhibit 50-25.7-1:

- A. All open areas of a lot not covered by buildings, sidewalks, required parking areas, drives, courtyards or accessory structures shall be landscaped with a combination of trees, shrubs, flowers and ground covers.
- B. Landscape design introducing a nautical character in features such as decorative walks, statuary, bollards, fountains, wood decks and terraced areas are encouraged.



50-25.8 Alternative Landscaping

In lieu of compliance with the specific requirements of this Section 50-25 an owner may propose to the land use supervisor an alternative approach consistent with the intent of this section. An alternative approach is designed to provide administrative flexibility in order to respond to unique site conditions or abutting or surrounding uses, and must not result in reductions in the amount or quality of required landscaping. The land use supervisor may approve a proposal under this section only if the proposed alternative compliance achieves required landscaping to the same degree or better than the provisions of this section.

50-25.9 Tree Preservation Requirements

A. Purpose

The city recognizes that trees provide numerous benefits and services to city residents, including increased property values, reduced storm water runoff and soil erosion with associated cost savings, noise buffering, aesthetic value, reduced energy costs from shade in summer and windbreaks in winter, and removal of greenhouse gases and other pollutants from the air. The city seeks to maintain the tree cover that protects the city's water quality and gives the city its character, while recognizing the need to remove some trees for development, safety, view preservation and other purposes.

B. Tree Replacement**1. Exemptions**

The following activities are not subject to the tree replacement requirement in this Section 50-25.9.

- (a) Forest management activities that maintain pre-existing tree canopy cover, such as minor thinning that eliminates no more than 25% of the canopy;
- (b) Forestry activities that disturb the canopy are exempt if covered by a current forest management plan approved by the city forester;
- (c) Removal of trees that are an obstruction to traffic or power lines or other utilities;
- (d) Removal of trees necessary for rescue in an emergency or for clean-up after a natural disaster;
- (e) Removal of public trees deemed hazardous by the city forester;
- (f) Removal of trees that are airport hazards;
- (g) Removal and trimming of trees along Skyline Parkway to preserve views from established or historic overlooks and viewpoints, with approval by the city forester;
- (h) Installation or replacement of city streets or utilities.

2. Replacement Required

- (a) Tree replacement shall be required pursuant to Table 50-25-3.

TABLE 50-25-3: Tree Replacement Required				
Tree Type	Removal Threshold	Replacement Standards		
		% DBH to be Replaced	Replacement Ratio	
			If Replacing With Special Trees	If Replacing with Other Tree Species
Special Tree > 20 in. DBH	Prohibited unless approved pursuant to subsection (b) below	If approval received, 50% of DBH removed	1 in. DBH per 1.5 in. of DBH required to be replaced	1 in. DBH per in. of DBH required to be replaced
Special Trees Between 6 and 20 in. DBH	10 or more	25% of DBH removed		
Other Significant Trees	20 or more	10% of DBH removed		

- (b) Removal of special tree species over 20 in. diameter at breast height (DBH) is prohibited unless any of the following applies:
- The city forester determines that the tree is dead, dying, diseased or a threat to public health or safety;
 - The city engineer determines that the tree interferes with the provision of public services or is a hazard to traffic;
 - The land use supervisor determines that the location of the tree is preventing development or redevelopment that cannot be physically designed to protect the tree.
- (c) When 10 or more replacement trees are required, not more than 30% shall be the same species without approval from the city forester.
- (d) Replacement trees provided pursuant to this Section 50-25.9 shall count towards landscaping required under other portions of this Section 50-25.9 if they meet the size, type and location standards for the type of landscaping required.
- (e) Replacement trees shall be considered significant trees in any future tree replacement plan.
- (f) If any part of the property is permanently protected from development by a conservation easement or by transfer to a city park or other natural area or a private conservation organization, the combined diameter of the protected trees that meet the size requirement for a significant tree will count toward the replacement requirement.
- (g) With the approval of the appropriate city staff (land use supervisor or city forester), developers should have the option of meeting the tree replacement requirements by putting equivalent funds into a dedicated city tree account. The amount of funds should be calculated based on the cost to the city of hiring contractors to plant the number of required replacement trees.

3. Calculation

(a) If you meet the removal threshold:

$$\frac{\text{Inches removed (DBH)}}{\text{Inches removed (DBH)}} \times \frac{\text{\% DBH}}{\text{\% DBH}} = \text{replacement requirement in inches}$$

(b) If replacing with special trees:

$$\text{Replacement requirement} \div 1.5 = \text{Total inches required}$$

(c) If replacing with other trees:

$$\text{Replacement requirement} = \text{Total inches required}$$

4. Example

Step 1: Removal of 12 10- in. special trees = Total of 120 in. DBH

Step 2: 120 in. DBH x 25% = 30 in. replacement requirement

Step 3: If replacing with special tree species:

$$30 \text{ in.} \div 1.5 = 20 \text{ in. total inches required to be planted}$$

5. Tree Replacement Plans

Where this replacement requirement applies, the applicant shall submit a tree replacement plan prepared and certified by a certified forester, arborist or landscape architect. The tree replacement plan shall be part of and integrated with the landscaping plan for the site. No replacement shall occur until the city forester has approved the tree replacement plan, and all replacement shall be consistent with that approved plan. The plan shall meet all applicable requirements in the UDC Application Manual.

6. Calculation For Developments Exceeding 5 Acres

For development of forested acres over 5 acres, with the approval of the appropriate city staff, the total diameter of trees removed should be able to be estimated based on measuring the diameter of trees in representative sample plots. The plots should be scattered throughout the area to be cleared and should cover no less than 10% of the entire area. All special tree species in the forest must be measured.

50-26 SCREENING, WALLS AND FENCES

50-26.1 Screening of Mechanical Equipment

A. Applicability

The standards of this section shall apply to all of the following uses that contain a primary structure in all zones, except I-G and I-W: a multi-family, mixed use, commercial, institutional, industrial, or parking principle use, when any of the following conditions occur:

1. A new primary structure is constructed;
2. The floor area in an existing primary structure(s), taken collectively, is increased by more than 25%;
3. An existing primary structure is relocated on the lot or parcel;
4. The primary structure is renovated or redeveloped (including but not limited to reconstruction after fire, flood or other damage), and the value of that renovation or redevelopment, as indicated by building permits, is more than 25% of the market value of the land and buildings, as indicated by tax assessor's records;

The following exterior mechanical features shall be screened: (i) electrical and gas-powered mechanical equipment and power systems equipment; (ii) heating, ventilating and air conditioning equipment ductwork, and lines; and (iii) power systems equipment.

Roof or wall-mounted antennas and vent openings shall not be considered mechanical equipment for purposes of these screening standards.

The standards of this section shall not apply if the only feasible location for mechanical screening would impede the functioning of solar, wind or geothermal energy equipment or systems if such systems are otherwise in compliance with applicable building codes and zoning requirements.

B. Screening Standards

1. Roof-Mounted Mechanical Equipment

Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The parapet wall or similar feature shall be sufficient to screen the mechanical equipment from ground view of a person on the other side of the public right-of-way on which the structure fronts, as illustrated in Figure 50-26.1-A.

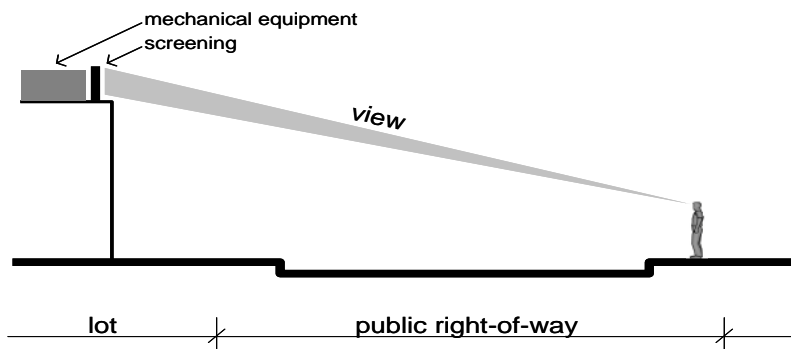


Figure 50-26.1-A: Screening for roof-mounted mechanical equipment

2. Ground-Mounted Mechanical Equipment

Ground-mounted mechanical equipment shall be screened from view from ground view of adjoining properties and public right-of-way by landscaping or by a decorative wall that incorporates at least one of the primary materials and colors of the nearest wall of the primary structure. The wall shall be of a height equal to or greater than the height of the mechanical equipment being screened. If landscaping is used for screening, the screening material shall be designed to provide 75% opacity one year after planting along the full required height and length of the screening buffer.

50-26.2 Screening of Service and Off-Street Loading Areas

A. Applicability

These standards shall apply to all service areas and off-street loading areas on all properties containing multi-family dwellings, commercial, institutional, industrial or mixed uses, except those located in the I-G and I-W districts.

B. Screening

Service and off-street loading areas shall be designed and located to reduce the visual and acoustic impacts of these functions on adjacent properties and public streets. Non-enclosed service and off-street loading areas shall be screened with durable, sight-obscuring walls, fences, and/or dense indigenous evergreen planting of between 6 and 8 ft. in height. Screening materials shall be the same as, or of equal quality to, the materials used for the primary building and landscaping.



Figure 50-26.2-A: Loading area screening

50-26.3 Screening and Location of Commercial Containers

A. Applicability and Exemptions

1. Except as noted in subsection 2 below, these standards shall apply to all exterior commercial containers, including without limitation garbage dumpsters, grease/oil tanks and cardboard compactors, on all properties containing multi-family dwelling, commercial, institutional, industrial or mixed uses.
2. These standards shall not apply to the following:
 - (a) commercial containers located in the I-G and I-W districts;
 - (b) commercial containers located behind a building and not visible from a public street or adjoining single-family, multi-family, mixed use or public property;
 - (c) the temporary purpose of disposing of waste generated during the time of an active building permit, or 180 days, whichever is shorter, for the demolition or construction of improvements on the property upon which the commercial container is located;
 - (d) a commercial container placed by or upon written authority of the city on a temporary basis.

B. Location

Commercial containers shall not be placed in any of the following:

1. any required front yard area or any side yard area adjacent to a public street right-of-way;
2. any fire lane;
3. any required off-street parking space;
4. any location that blocks vehicular or pedestrian traffic;
5. any location that obstructs drivers' sight lines at intersection of streets and driveways;
6. any location that may interfere with utilities.

C. Screening of Commercial Containers

1. Not Adjacent to Structure Wall

Commercial containers that are not located adjacent to a wall of an existing principal or accessory structure shall be screened from view as follows:

- (a) On three sides with a wall constructed of masonry, brick, wood, stone, or similar material and at least as tall as the container being screened;
- (b) On the fourth side a gate constructed of wood or metal and at least as tall as the container being screened.



Figure 50-26.3-A: Dumpster screening

2. Adjacent to Structure Wall

Commercial containers that are located adjacent to a wall of an existing principal or accessory structure shall be screened from view as follows:

- (a) On two sides with a wall that is (1) constructed of the same principal materials and colors used on the wall of the principal or accessory building that forms the third wall of the enclosure, and (2) at least as tall as the container being screened; and (3) in compliance with applicable fire and building codes;
- (b) On the fourth side a gate constructed of wood or metal and at least as tall as the container being screened.

50-26.4 Fences and Walls

Unless otherwise expressly provided for in this Chapter, or unless expressly provided for in conjunction with the approval of a special use permit, fences and walls shall comply with the following general standards:

A. Fence/Wall Height

1. General Front Yard Standards

- (a) No fence or wall located between the principal structure on a lot and the front property line shall exceed 4 ft. in height.
- (b) Chain link fences, fences that are electrically charged, fences constructed of barbed or razor wire and fences constructed of temporary plastic fencing (snow fences) are prohibited. Prohibitions on electrically charged fences and fences constructed of barbed or razor wire shall not apply to fences used to enclose livestock on bona fide farms and those serving a public or quasi-public institution for public safety or security purposes.
- (c) Prohibitions on electrically charged fences shall not apply to fences used to protect gardens and landscaping on residential lots. Prohibitions on electrically charged fences and fences constructed of barbed or razor wire shall not apply to fences used to enclose livestock on bona fide farms and those serving a public or quasi-public institution for public safety or security purposes.



Figure 50-26.4-A: Form District front setback wall height

2. General Side and Rear Yard Standards

Fences that are electrically charged, and those constructed of barbed or razor wire shall be prohibited.

- (a) This prohibition shall not apply to electrically charged fences used to protect gardens and landscaping on residential lots.
- (b) This prohibition shall not apply to fences used to enclose livestock on bona fide farms and those serving a public or quasi-public institution for public safety or security purposes.

3. Residential Zone Districts

The maximum height of a fence or wall within required side and rear yard area is 8 ft. The maximum height for fences and walls for entry gates at the residential subdivision entrance shall be 8 ft.

4. Mixed Use and Special Purpose Zone Districts

The maximum height of a fence or wall within required side and rear yard area is 8 ft., but the land use supervisor may approve a fence or wall up to 12 ft. in

height where additional height is needed to provide adequate security because of topography or the nature of the material or equipment stored in the area.

5. Form Districts

The maximum height of a fence or wall within required side and rear yard area is 8 ft., but the land use supervisor may approve a fence or wall up to 12 ft. in height where additional height is to provide adequate security because of topography or the nature of the material or equipment stored in the area. Fences and walls are not permitted in required front yard areas, except for wrought iron fences used to enclose outdoor patio or dining areas, in which case the maximum height of the fence shall be 3 ft.

6. Vacant Property

As an exception to other fence height limits, vacant property may be fenced with chain-link fencing not to exceed 6 ft. in height when the purpose of such fencing is to prevent unauthorized dumping or soil disturbance that results in fugitive dust or nuisance conditions. Such fencing of vacant property shall not be construed to allow use of the property for outdoor storage.

B. Retaining Walls

1. Applicability

The requirements of this section apply to construction of new retaining walls in all districts, except for (a) retaining walls on properties containing only one-family and two-family dwellings, and (b) retaining walls that will not be visible from neighboring sites or from a public street frontage.

2. Design Standards

All retaining walls shall comply with the following standards:

- (a) Retaining walls more than 6 ft. tall shall be terraced to minimize visual impacts on residents, neighboring properties and the public realm;
- (b) Terracing shall be limited to three tiers;
- (c) A terrace at least 4 ft. wide, with a maximum slope of 3:1, shall be provided between each tier to create pockets for landscaping. Reduced terrace depths may be administratively approved by the building official where site constraints limit the amount of space available to accommodate the minimum required width;
- (d) Terraces between retaining wall tiers shall be vegetated with permanent landscaping to screen retaining walls and provide visual interest unless soil conditions are determined by a licensed engineer to be unsuitable due to geologic hazards;
- (e) Retaining walls shall be stacked natural stone or faced with stone or earth-colored materials, textured and colored Mechanically Stabilized Earth (MSE) blocks or other material compatible with the primary building materials;



Figure 50-26.4-B: Retaining wall terracing and articulation

- (f) Retaining walls constructed of railroad ties, timber and gabion-type materials are not allowed.

C. Materials and Signs

No fence, wall or retaining wall shall be constructed of scrap or waste materials unless those materials have been recycled or reprocessed into building materials for sale to the public. No sign may be posted on any fence, wall or retaining wall except for a property identification/management sign not exceeding 1 sq. ft. in size.

D. Alternate Screening

In lieu of compliance with the specific requirements of this section an owner may propose to the land use supervisor an alternative approach consistent with the intent of this section. An alternative compliance approach is designed to provide flexibility in order to respond to unique site conditions or abutting or surrounding uses, and must not result in reductions in the amount or quality of required screening. The building official may approve a proposal under this section only if it is determined that the proposed alternative compliance achieves required screening to the same degree or better than the provisions of this section.

50-27 SIGNS

50-27.1 General

- A. **Intent.** It is not the intention of this Section 50-27 to engage in any form of content-based regulation of sign content prohibited by the federal or state constitution, statutes, or court decisions. A non-commercial message may be substituted for a commercial message on any sign permitted by this Section 50-27. If any portion of this section is determined to include any form of impermissible content-based regulation of sign content, that provision shall be severed from the remainder of this section, and the remainder of this Section 50-27 shall remain in effect. It is the specific intent of the city that any unintentional impermissible content-based regulation of sign content not result in the invalidation of this Section 50-27.
- B. **Compliance Required.** All signs erected or maintained in the city – whether accessory to a primary use of property or themselves a primary use of property – shall comply with the provisions of this Section 50-27.
- C. **Permits and Exceptions.** Unless an exception is listed in this Section 50-27, no person, firm or corporation shall erect any sign, or cause or allow a sign to be erected unless a sign permit for that sign has been issued pursuant to Article 5.
- D. **Limits Apply per Property.** Whenever the number of signs permitted is limited by this Section 50-27, the limitation shall refer to each piece of property held under separate ownership.
- E. **Signs for Nonconforming Uses.** If the use of a property constitutes a legal nonconforming use, all signs erected on the property shall be erected and maintained in conformance with the provisions of this Section 50-27 applying to the most restrictive district in which that use is a permitted use of the property.
- F. **No Signs on Streets, Trees or Fences.** Except for A-frame signs allowed pursuant to Section 50-27.4.D and temporary signs approved pursuant to this Section 50-27, no sign shall be placed on any street, highway or pedestrian easement or be attached to or painted on a tree, fence or accessory building. This provision shall not be deemed to prohibit holiday season decorations or those items regulated by Article III of Chapter 45.
- G. **Name of Installer on Sign.** All signs for which a permit is required shall contain, on the face of the sign and in a legible manner, the permit number and installer's name. This provision shall not apply to awning signs.
- H. **Setbacks Apply.** No sign shall be located within a required front, side or rear yard space, except for wall signs, projecting signs and pole signs.
- I. **No Safety Obstructions.** No sign shall obstruct access to fire escapes or windows, doors, exits or standpipes. No pole sign or monument sign shall be constructed in such a manner that it projects over any building.
- J. **Illumination and Glare.** All sign illumination, whether direct or indirect, shall be so shaded or concealed that it does not create unreasonable and annoying illumination on residential structures constructed prior to the installation of such lighting apparatus. No sign illumination shall shine in any manner that interferes with the vision of motor vehicle operators.
- K. **Signs in the Public Right-of-Way.** Where any sign is permitted on the public right-of-way, including but not limited to a portable A-frame sign on the sidewalk, no sign shall be placed in the public right-of-way unless a sign permit has been issued

for that sign, and no sign shall be issued until the applicant has submitted evidence of a certificate of insurance approved as to form by the city evidencing that the applicant has in force insurance in the minimum amounts required by the city for bodily injuries or property damage in any one year protecting such person or organization and the city against liability for injuries or damages resulting from the placement of such objects or materials in the public right-of-way.

- L. Attachment to Buildings.** All signs attached to a building shall be thoroughly and rigidly secured and shall be repaired and maintained as necessary to keep them secure, safe and free from becoming a hazard.
- M. Wind Pressure Design.** All permanent signs and supports shall be designed to withstand a wind pressure of not less than 30 pounds per sq. ft. of area subject to such pressure, or to the value found in the current edition of the Uniform Building Code, whichever is greater.
- N. Electrical Wiring.** All electrical wiring of signs shall comply with the provisions of the National Electrical Code and any other applicable provision of the State Building Code.
- O. Certification by Structural Engineer.** The structural design of all supporting members of pole signs, monument signs and projecting signs that have an area of more than 80 sq. ft., shall be certified by a structural engineer registered in the state or an architect registered in the state. In lieu of the above, if a structural design book showing basic standard sign designs is filed with the city building official, and the designs therein are certified by a structural engineer licensed in the state, and the permit filed is for one of the signs shown in the standard design book, no individual certification shall be required. However, all signs with deviations from the standard designs shall be certified by a Minnesota registered structural engineer or architect.

50-27.2 Signs for Which No Permit is Required

No sign permit shall be required for the types of signs shown in Table 50-27-1, but each such sign shall be required to comply with the provisions of this Section 50-27.

Table 50-27-1: Signs Not Requiring a Permit	
Zone District	Type of Sign
All districts	Construction contractor sign Home occupation sign Nameplate Political sign Property identification/management sign Real estate sign Recreational field sign Temporary signs not exceeding 8 sq. ft. in size
RR-1 and RR-2 districts	Signs for permitted farm occupations or products

50-27.3 Prohibited Signs

The following types of signs are prohibited:

- A.** Portable stand signs;
- B.** Private signs that resemble public authority signs;
- C.** Roof signs;

- D. Wind oscillating pennants and propellers for use on a permanent basis (use for carnivals, bazaars and similar events for up to 10 days per calendar year are permitted);
- E. Signs with flashing, oscillating or revolving lights that could be confused with emergency or traffic lights;
- F. Signs that involve rapid rotation of all or part of the structure, except for changeable message signs and electronic signs that comply with Section 50-27.4.B.

50-27.4 Regulations for Specific Sign Types

A. Awning Sign

1. The message of an awning sign shall consist of the letters and numbers not more than 10 in. high and a logo not exceeding 18 in. square.
2. The message shall be fabricated into or printed on the awning cover.
3. The message shall convey only the name or address of the building or the name of the principal occupant or business.



Figure 50-27.4-A: Awning sign

B. Changeable Message Sign (CMS) and Electronic Sign (ES)

Changeable message signs and electronic signs shall conform to the following additional conditions in those zone districts where they are permitted:

1. **Separation.** The sign must be separated from other changeable message signs and electronic signs by at least 100 ft.
2. **Orientation.** In all districts, the sign must be oriented so that no portion of the sign face is visible from a park that is over 1 acre in area and contains improvements for recreational use, if the park is within 150 ft. of the sign, and no portion of the sign face is visible from a school that is within 150 ft. of the sign.
3. **Brightness.** The maximum brightness of a changeable message sign and electronic sign shall not exceed 5,000 nits (equivalent to 464 candelas per sq. ft) during daylight hours, or of 500 nits (equivalent to 46 candelas per sq. ft) between dusk to dawn. The sign must have an automatic dimmer control that produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise.
4. **Duration.** Any image or message or part of a message displayed on the sign shall have a minimum duration of eight seconds and shall be static display. Transition time between images or messages or part of a message must be no longer than two seconds.
5. **Default Mechanism.** CMS and ES shall contain a default design that will freeze the design in one position if a malfunction occurs.
6. **Audio or Pyrotechnics.** Audio speakers or any form of pyrotechnics are prohibited.

C. Marquee Sign

1. **Structurally Integrated.** Must be structurally integrated into the fascia of a marquee, and may not project above or below such fascia.
2. **Lettering.** Marquee signs shall be constructed of individual numbers and letters not exceeding 10 in. in height and may contain a logo 28 in. square or less, all of which are individually attached to the fascia and do not project outward more than three in. from such fascia.
3. **Placement.** The message may be placed on up to three sides of the marquee.
4. **Illuminated.** Letters, numbers and logos may be individually illuminated only, and shall not flash or convey an animated message.
5. **Size.** Marquee signs shall cover no more than one sq. ft. of sign area for each linear ft. of building frontage.

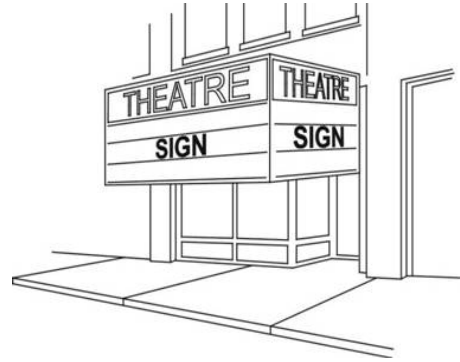


Figure 50-27.4-B: Marquee sign

D. Portable A-Frame Sign

1. **Size Restriction.** Between 36 and 40 in. tall and between 24 and 30 in. wide.
2. **Location.** Shall extend no more than 3 ft. into the public right-of-way and must provide an unobstructed sidewalk width of at least 5 ft. for pedestrian passage.
3. **Time.** Shall be displayed only during the hours in which the business is open.
4. **Snow Removal.** Shall be removed during city snow removal operations and the city is not liable for any damage to signs caused by snow removal operations.
5. **Insurance.** Applicant must provide and maintain in force a certificate of insurance, approved as to form by the city, evidencing that such person or organization has in force insurance in the minimum amounts required by the city for bodily injuries or property damage in any one year protecting such person or organization and the city against liability for injuries or damages resulting from the placement of such objects or materials on public sidewalks or boulevard areas.



Figure 50-27.4-C: Portable A-frame sign

E. Projecting Sign

1. **Projection Distance.** May not project more than 4 ft. from the building.
2. **Projection Height.** May not project higher than 3 ft. above an exterior wall of the building.

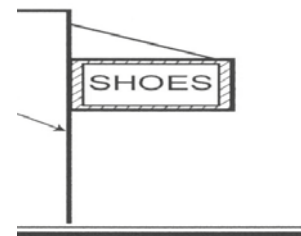


Figure 50-27.4-D: Projecting sign

F. Window Sign

1. In districts other than Form Districts, window signs shall cover no more than 15% of the window area visible from any public street, unless a more specific standard for the district is provided by this Section 27.
2. In Form Districts, window signs shall comply with those standards in Section 50-22.

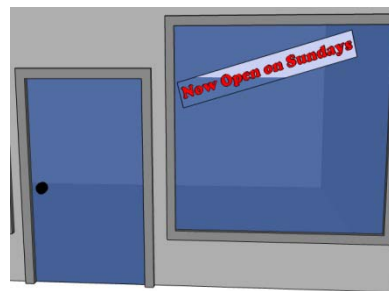


Figure 50-27.4-E: Window sign

50-27.5 Sign Schedule for Specific Zone Districts

Specific types of signs permitted in each zone district, and the conditions that apply to that type of sign, are shown in Table 50-27-2 below.

Table 50-27-2: Sign Regulations for Specific Zone Districts		
Zone District	Type of Sign	Conditions on Sign
Residential Districts		
All residential districts	Construction contractor sign	Residential: 1 sign with maximum size 20 sq. ft. Non-residential: 1 sign with maximum size of 32 sq. ft. plus 16 sq. ft. to identify architects, engineers, or subcontractors. Not permitted in required front, side, or rear yard areas. Indirect illumination only. Must be removed 7 days after construction is complete.
	Home occupation sign	Maximum size: 20 sq. ft. in RC, RR-1 and RR-2. 1 sq. ft. in R-1 and R-2. Must be set back 20 ft. from front property line in RC, RR-1 and RR-2. Must be attached to building in R-1 and R-2. May not be illuminated.
	Nameplate	1 per dwelling. Maximum size: 2 sq. ft. in RC, RR-1, RR-2 and R-1. Indirect illumination only.
	Political sign or property owner opinion sign	Minimum setback from property lines and street or sidewalk improvements: 3 ft. If illuminated must comply with Section 50-31. Building permit required if more than 6 ft. tall.
	Property identification/management sign	Maximum size: 3 sq. ft. in RC, RR-1, RR-2 and R-1. 6 sq. ft. in R-2. No illumination or animation.
	Public assembly bulletin board	Maximum size: 25 sq. ft. Minimum setback from property lines: 10 ft. Indirect illumination.
	Real estate sign	Maximum size: 32 sq. ft. in RC, RR-1, and RR-2. 6 sq. ft. in R-1. In R-2, may contain name of building and/or management firm. Minimum setback from property lines; 10 ft, unless attached to a building. Must be removed within 7 days after sale, lease, or rental. No illumination.
	Recreational field sign	Directional sign: Maximum size: 20 ft. Maximum Height 10 ft. Building mounted sign: Maximum size 10 ft. Each scoreboard sign may contain up to 10 sq. ft. of advertising. Indirect illumination only.

Table 50-27-2: Sign Regulations for Specific Zone Districts

Zone District	Type of Sign	Conditions on Sign
	Residential complex sign	In R-2 district only. 1 monument sign constructed of individual letters and numbers attached to a structure that is similar in color, texture and material to the primary exterior of the complex buildings. Maximum height of 4 ft., maximum width of 8 ft., maximum depth of 1 ft. Minimum setback from property lines: 10 ft. Indirect illumination only.
	School (grades K-12) sign	1 wall identification sign not exceeding 32 sq. ft. Maximum height of wall identification sign shall be 16 ft. or top of wall, whichever is less. Corner lots limited to 2 wall identification signs per building. 1 freestanding monument sign not exceeding 32 sq. ft. in area and 8 ft. in height also allowed. Either the wall sign or the monument sign, but not both, may be illuminated. Flashing, animated and revolving signs are not permitted.
	Temporary sign	May not advertise on-going business activity. Maximum size: 6 sq. ft. Minimum setback from property lines and street and sidewalk improvements: 3 ft. Maximum length of use: 2 days. No illumination.
	Off-premises sign	Not permitted.
Mixed Use and Form Districts		
All residential uses	All signs permitted for residential uses in the R-2 district	
MU-N, MU-W, F-1, F-2, F-3, F-4, F-5, F-6 and F-9 Zones		
Non-residential uses	Awning sign	Permitted on first floor awnings only. Indirect illumination only, but no lighting apparatus shall be attached to the awning itself.
	Marquee signs	Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft. Permanent signage shall be included. Changeable copy shall be limited to no more than 2/3 of the sign face.
	Pole sign	Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft. Maximum height: 15 ft. Minimum height of sign face base above ground: 8 ft. (decorative planters without advertising and not more than 3 ft. above ground are permitted) for signs 8 ft. total in height and no more than 8 sq. ft. per sign face, no minimum clearance required. Maximum thickness: 30 in. (except spherical signs). Maximum sign area: 1 sign per pole, maximum 40 sq. ft. per sign face. The area of a double or triple faced pole sign shall be the area of the largest face. Location: If pole signs are located in the required front, side, or rear yards they shall not be closer than 100 ft. from any residential structure located in a residential zone. Not permitted on or projecting into or over any public street or utility easement. In the Form Districts, this type is limited for use with the Corridor, Cottage Commercial, and Iconic building types.

Table 50-27-2: Sign Regulations for Specific Zone Districts		
Zone District	Type of Sign	Conditions on Sign
		Materials: Solid or composite finished wood, metal, masonry, neon, glass. Direct and indirect illumination permitted.
	Wall sign	Maximum aggregate sign size: 40 sq. ft. or 2 times the number of lineal ft. of the length the building wall where it is mounted, whichever is greater. Materials: Solid or composite finished wood, metal, masonry, neon, glass Direct and indirect illumination permitted.
	Portable A-frame sign	1 per street frontage.
	Monument	Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft. In the Form Districts, this type is limited for use with the Corridor, Cottage Commercial, and Iconic building types. Maximum height of 6 ft., maximum area 48 sq. ft. per sign face. Setback from corners and driveways for vehicular site triangles. Materials: Solid or composite finished wood, metal, masonry, neon, glass. Direct and indirect illumination permitted. Landscape at base of sign shall not be taller than 18 in. at mature height.
	Projecting sign	1 per each building façade facing a street, alley, or sidewalk. Maximum sign area: 150 sq. ft. or 1.5 times the number of lineal ft. of the wall where the sign is located, whichever is less. The area of a double faced projecting sign shall be the area of the largest face. Minimum height above sidewalk: 10 ft.; for signs projecting 2 ft. or less, 7 ft. Minimum height above street or alley: 16 ft. Shall not extend closer than 1 ft. to back of any curb or over any alley. Materials: Solid or composite finished wood, metal, masonry, neon, glass. Direct and indirect illumination permitted.
	Window sign	Shall not block more than 30% of any window panel as measured by drawing a box around the outer edges of any typeface or image. Materials: Painted directly on the window, mounted neon on inside of window, or mounted sign on a wall inside the window area.
	Off-premises sign	Not permitted
MU-C, F-7 and F-8 Zones		
	Awning sign Marquee sign Wall sign Portable A-frame sign	Same as for MU-N, MU-W, F-1, F-2, F-3, F-4, F-5, F-6 and F-9 zones.
	Projecting sign	1 per each building façade facing a street, alley, or sidewalk. Maximum sign area: 150 sq. ft. or 1.5 times the number of lineal ft. of the wall where the sign is located, whichever is less. The area of a double faced projecting sign shall be the area of the largest face. Minimum height above sidewalk: 10 ft.; for signs projecting less than 2 ft., 7 ft. Shall not extend closer than 1 ft. to back of any curb or over any alley. Materials: Solid or composite finished wood, metal, masonry, neon, glass. Direct and indirect illumination permitted.
	Window sign	Shall not block more than 30% of any window panel as measured by drawing a box around the outer edges of any typeface or image. Materials: Painted directly on the window, mounted neon on inside of window, or mounted on a wall inside the window area.

Table 50-27-2: Sign Regulations for Specific Zone Districts

Zone District	Type of Sign	Conditions on Sign
	Pole sign	<p>Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft.</p> <p>Maximum height: 25 ft.</p> <p>Minimum height of sign face base above ground: 8 ft. (decorative planters without advertising and not more than 3 ft. above ground are permitted). For signs 8 ft. total in height and no more than 8 sq. ft. per sign face, no minimum clearance required.</p> <p>Maximum thickness: 30 in. (except spherical signs).</p> <p>Maximum sign area: 1 sign per pole, maximum area not exceeding 30 percent of the lineal street frontage on the street nearest the sign. The area of a double or triple faced pole sign shall be the area of the largest face.</p> <p>Location: If pole signs are located in the required front, side, or rear yards they shall not be closer than 100 ft. from any residential structure located in a residential zone. Not permitted on or projecting into or over any public street or utility easement.</p> <p>In the Form Districts, this type is limited for use with the Corridor, Cottage Commercial, and Iconic building types.</p> <p>Materials: Solid or composite finished wood, metal, masonry, neon, glass.</p> <p>Direct and indirect illumination permitted.</p>
	Off-premises sign	<p>Off-premises wall signs prohibited.</p> <p>All other off-premises signs subject to approval under Section 50-15.3.D</p>
	Monument sign	<p>Maximum number: 1 for first street frontage plus 1 for any additional street frontage longer than 100 ft.</p> <p>Maximum height: 18 ft.</p> <p>Maximum sign area: 144 sq. ft.</p> <p>Location: Sign may not be located in defined sight triangles for streets and driveways.</p> <p>In the Form Districts, limited for use with the Corridor, Cottage Commercial, and Iconic building types.</p> <p>Materials: Solid or composite finished wood, metal, masonry, neon, glass.</p> <p>Direct and indirect illumination permitted.</p> <p>Landscape at base of sign shall not be taller than 18 in. at mature height.</p>
MU-I District		
	All signs permitted in the MU-N district	<p>Maximum sign area on any wall: Number of sq. ft. equal to the number of lineal ft. of the wall.</p> <p>All signs, including public signs, shall be approved by staff based on the consistency of the size, texture, and scale of signs with the character and scale of signs and development in the surrounding area. However, review and permits shall not be required for (a) property information/management signs less than 4 sq. ft., (b) political signs, and (c) property owner opinion signs.</p>
MU-B District		
	Wall signs, projecting signs, and monument signs	<p>Maximum sign size of wall and projecting signs: 5% of the total sq. ft. area of building façade on which they are placed. All wall signs attached to the building shall be flush mounted and shall not extend above the roof line. All monument signs must be architecturally designed and located directly at grade, shall be limited to 1 sign on each street frontage, shall be limited to 60 sq. ft. in area and eight ft. in height and shall be located no closer than 15 ft. from the property lines.</p> <p>Neon signs are not permitted. Direct and indirect illumination is permitted. Spotlighting of signs is permissible if the lighting is shielded so as to direct light to the sign only and the light source is not visible from the property lines. Flashing and animated signs are not permitted.</p>

Table 50-27-2: Sign Regulations for Specific Zone Districts		
Zone District	Type of Sign	Conditions on Sign
	Property identification/management sign	Maximum size: 4 sq. ft. Maximum height: 5 ft. No illumination, animation, or flashing.
	Off-premises signs	Not permitted.
Special Purpose Districts		
I-G and I-W Districts	All signs permitted in the MU-C district	On-premises signs only.
P-1 District	Construction contractor sign	Non-residential: 1 sign with maximum size of 32 sq. ft. plus 16 sq. ft. to identify architects, engineers, or subcontractors. No illumination or animation Must be removed 7 days after construction is complete
	Property identification/management sign	Maximum size: 6 sq. ft. in R-2 No illumination or animation
	Public assembly bulletin board	Maximum size: 25 sq. ft. Minimum setback from property lines: 10 ft Indirect illumination
	Recreational field sign	Directional sign: Maximum size: 20 ft. Maximum Height 10 ft. Building mounted sign: Maximum size 10 ft. Each scoreboard sign may contain up to 10 sq. ft. of advertising. Indirect illumination only
	Temporary sign	May not advertise on-going business activity. Maximum size: 6 sq. ft. Minimum setback from property lines and street and sidewalk improvements: 3 ft. Maximum length of use: 30 days. No illumination or animation.
	Off-premises sign	Not permitted

50-27.6 Certificate of Sign Appropriateness in Canal Park

The following provisions apply to Canal Park, as shown in Exhibit 50-27.6-1

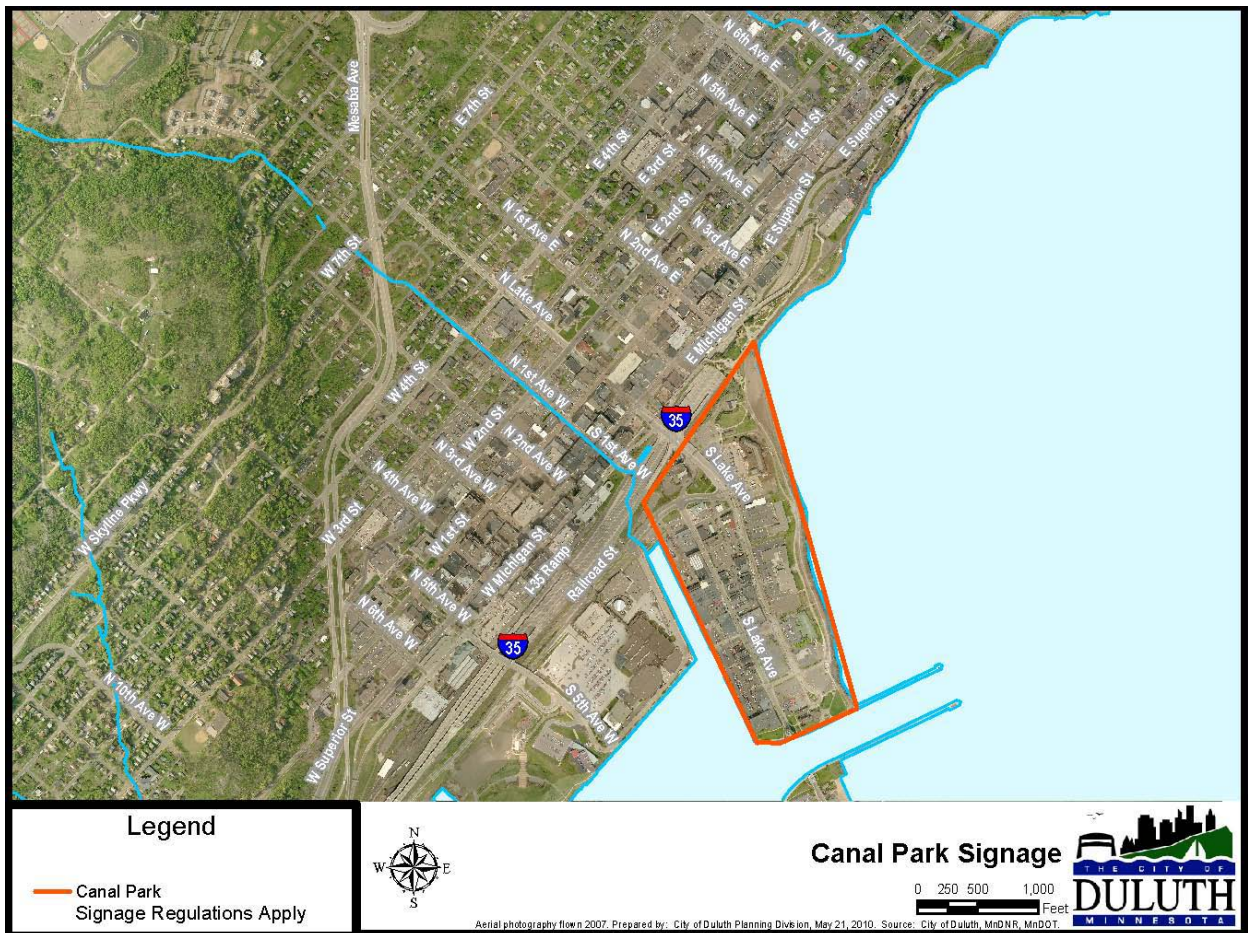


Exhibit 50-27.6-1: Canal Park Sign Area

A. Permit Required

No sign, other than a temporary sign, shall be erected, rebuilt or otherwise changed without a certificate of appropriateness issued by the land use supervisor.

B. Materials

All signs other than temporary signs must be constructed of wood, brick or metal and appropriately treated to maintain an acceptable professionally finished appearance. Individually mounted letters of plastic may be used if wholly covered with opaque paint. Banners and flags shall be fabricated from durable canvas, sailcloth or other non-rip, non-fading type materials and shall be promptly repaired or replaced when they become ragged or otherwise unsightly.

C. Colors

Colors shall be chosen from historic paint palettes by any major brand, also on file at City Hall.

50-27.7 Controlled Highway Sign Restrictions

A. Controlled Highway Sign District

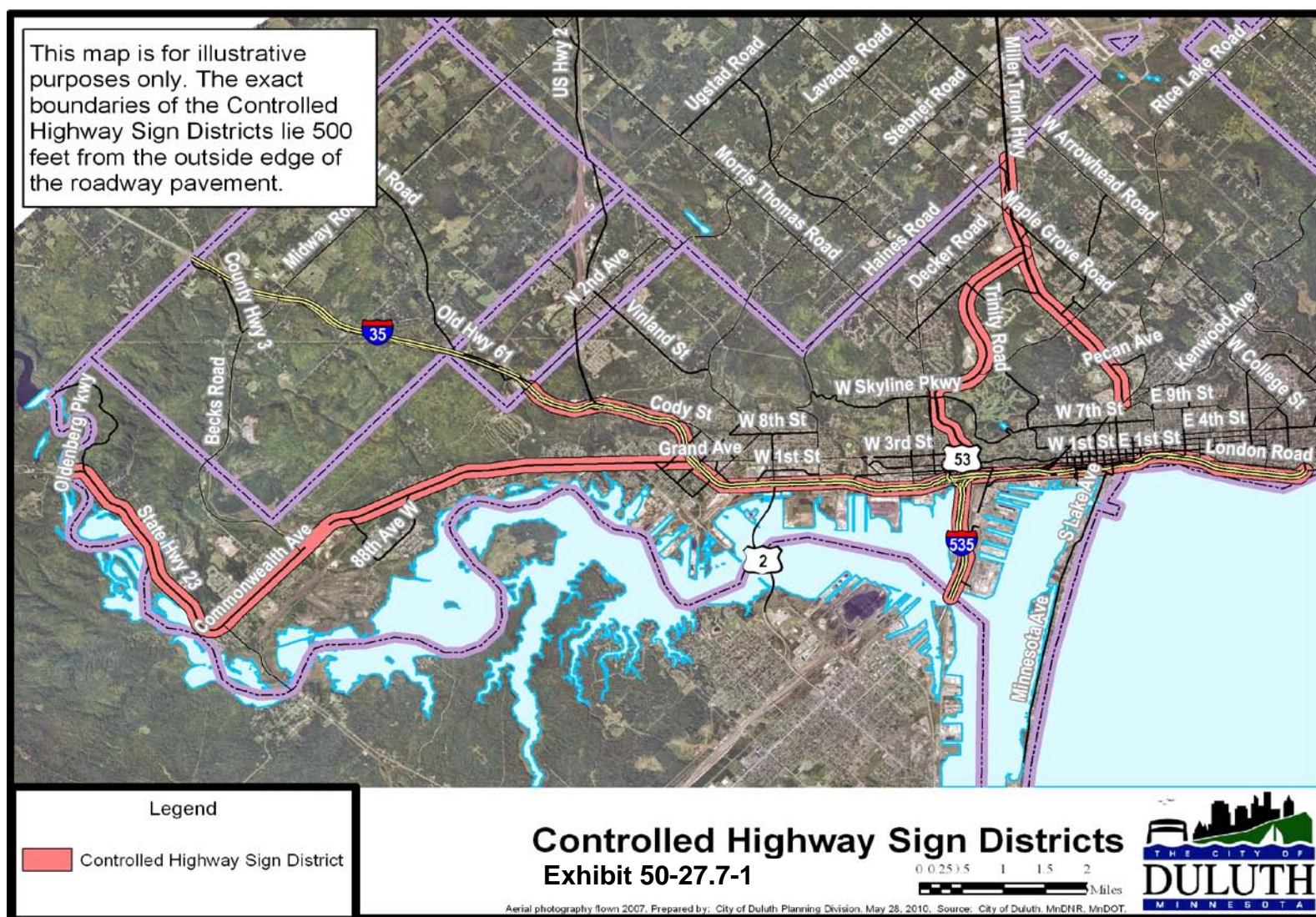
- B.** The controlled highway sign district includes all land lying within 500 ft. of the outside edges of the roadway pavement of the following described highways. The general location of these areas is shown in Exhibit 50-27.7-1:
1. Interstate Highway No. 35;
 2. Interstate Highway No. 535;
 3. Minnesota Highway No. 194 between the Duluth city limits and 11th Street;
 4. Minnesota Highway No. 23;
 5. U.S. Highway No. 53 between Central Entrance Road and West 1st Street.

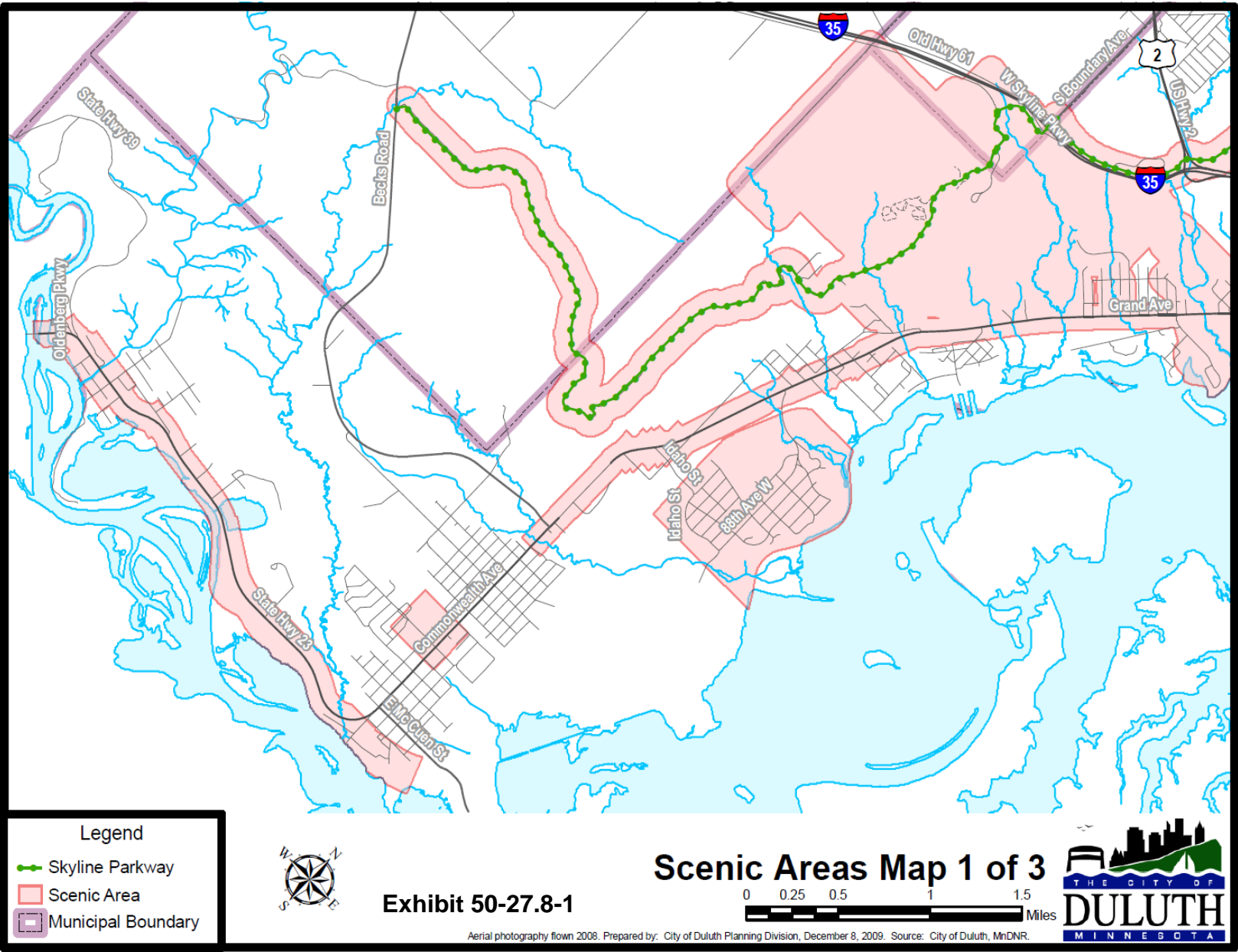
C. Restriction

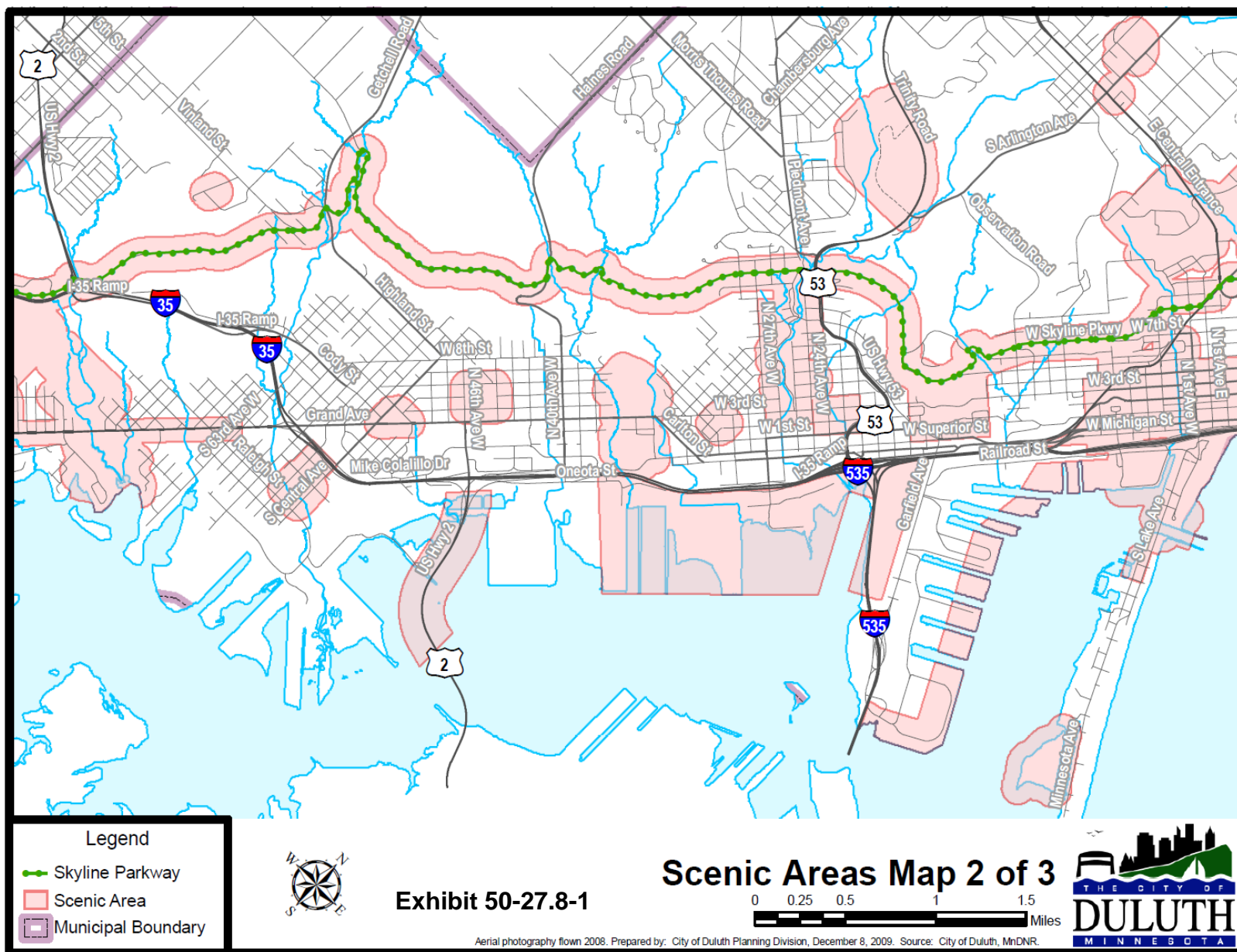
1. No off-premises sign shall be erected or maintained in a controlled highway sign district unless such sign complies with the spacing regulations itemized in this section, and unless such sign is located so that it does not interfere with the effectiveness of traffic signs or signals or interfere with a driver's view of approaching, merging or intersecting traffic.
2. In the Interstate Highway 35 and 535 districts, no off-premises sign may be erected or maintained within 800 ft. of any other off-premises sign that is located within the same controlled highway sign district.
3. In the Minnesota Highway No. 194 and U.S. Highway No. 53 districts, no off-premises signs may be erected or maintained within 500 ft. of any other off-premises sign located within the same controlled highway sign district unless the signs are on opposite sides of the highway involved.
4. Double faced signs and signs that are closer than 2 ft. from one another shall be considered 1 sign for purposes of these spacing requirements.

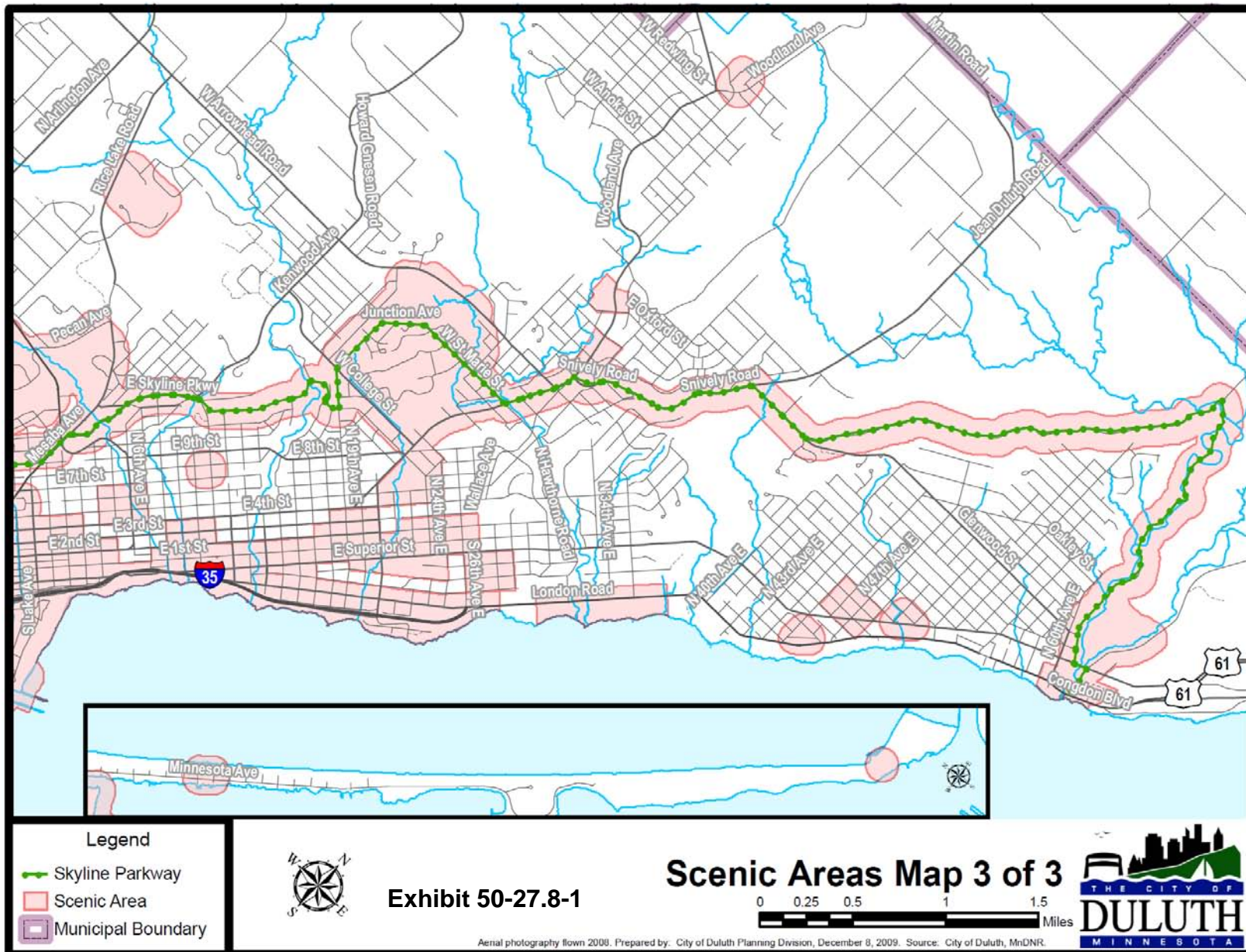
50-27.8 Scenic Areas Sign Restrictions

No off-premises sign in excess of 60 sq. ft. shall be erected or maintained in any area shown on the maps in Exhibit 50-27.8-1:









50-28 STORM WATER DRAINAGE AND EROSION CONTROL

Storm water drainage and erosion control regulations and standards apply to all lands in the city, and are contained in Section 50-18.1.E.

50-29 SUSTAINABILITY STANDARDS

50-29.1 Applicability

In order to promote sustainable development, all new residential development proposals containing 3 or more units, and all non-residential development with a gross floor area of 10,000 sq. ft. or more, shall be required to comply with the provisions of this Section 50-29.

50-29.2 Points Required

Each new development shall be required to achieve at least a minimum number of points from the menu of options shown in Table 50-29-1:

A. Residential Development Minimum Requirements

1. Residential development with 3-29 units: 3 points.
2. Residential development with 30 or more units: 4 points.

B. Non-Residential Development Minimum Requirements

1. Non-residential development with 10,000 to 25,000 sq. ft.: 3 points.
2. Non-residential development with a total square footage of more than 25,000 sq. ft.: 4 points.

Table 50-29-1: Sustainability Point System	
	Points Earned
LOCATION	
Development on previously used or developed land that is contaminated with waste or pollution (brownfield site)	1.50
Development on previously used or developed land that is not contaminated (site re-use)	0.75
Development on a previously undeveloped site that is located immediately adjacent to existing city roadway and utility infrastructure	0.25
ENERGY EFFICIENCY	
Meet ASHRAE standard 189.1 (Section 7.4.2) for building envelope design ^[1]	1.50
Meet ASHRAE standard 189.1 (Section 7.4.6) for lighting ^[1]	0.75
Meet ASHRAE standard 189.1 (Section 7.4.3) for HVAC equipment ^[1]	0.75
Meet Energy Star standards for low rise residential or exceed ASHRAE 90.1-2004 energy efficiency standards by 15%. ^[2]	1.00
ALTERNATIVE ENERGY	
Generate or acquire a minimum of 15% of the electricity needed by the development from alternative energy sources (solar, wind, etc)	1.00

50-29: Sustainability Standards

Table 50-29-1: Sustainability Point System	
	Points Earned
Install solar panels on a minimum of 15% of homes dwelling units contained in one-family, two-family, or townhouse dwellings	0.75
Pre-wire a minimum of 10% of residential dwelling units for solar panels	0.25
Install solar panels on primary structure, or at least 50% of buildings in a multi-building complex	0.75
PASSIVE SOLAR	
A minimum of 20% of residential dwelling units or lots are oriented within 20% of east-west for maximum passive solar exposure	1.00
At least 20% of non-residential buildings have one longer axis oriented east-west for maximum solar exposure	1.00
WATER	
Install a "cool roof" or green vegetated roof on the primary structure, or at least 50% of primary buildings in a multi-building complex. Cool roofs shall have a Solar Reflectance Index of 78 for flat roofs or 29 for roofs with a slope greater than 2:12. Green or vegetated roofs shall include vegetation on at least 50% of the roof area (25% for renovated buildings) and shall use only plant materials permitted by the landscaping standards in Section 50-25	2.00
Meet ASHRAE standard 189.1 (Section 6.3.1) for site water use reduction ^[1]	0.75
Meet ASHRAE standard 189.1 (Section 6.3.2) for building water use reduction ^[1]	0.50
VEGETATION	
Retain at least 20% of existing pre-development natural vegetation	0.75
Turf grass is limited to 40% of the landscaped area.	0.25
URBAN AGRICULTURE	
A fenced, centrally located community garden space is provided for residents and for urban gardening purposes at a ratio of 50 sq. ft. per dwelling unit as part of the overall landscape plan	1.00
A minimum of one on-site composting station is provided for every 25 units	0.25
TRANSPORTATION	
Source a minimum of 20% by cost of construction materials from recycled products or products manufactured, extracted, harvested, or recovered within 250 miles of the site	1.50
A minimum of 1% of required automobile parking spaces are signed and reserved for hybrid/electric/low energy vehicles in preferred locations near the primary building entrance	0.25
^[1] <i>Standard for the Design of High-Performance Green Buildings</i> , American Society of Heating, Refrigerating, and Air-Condition Engineers, 2009. ^[2] <i>Energy Standard for Buildings Except Low-Rise Residential</i> , American Society of Heating, Refrigerating, and Air-Condition Engineers, 2004.	

C. LEED-Certified Building Alternative

Buildings that have achieved LEED requirements necessary to receive certification from the U.S. Green Building Council at the silver level or above shall not be required to meet the above requirements.

D. Documentation Required

Applicants shall provide documentation of techniques that will be used to satisfy the above requirement, as necessary, at the time of application submittal. Documentation for items that may not be visually verified as part of an inspection may be provided in the form of invoices, receipts, or delivery confirmation for the items in question.

50-30 DESIGN STANDARDS

The design standards of this Section 50-30 apply to all new development, and all redevelopment or renovation of existing structures where the redevelopment or renovation expands the building gross square footage by more than 50%.

50-30.1 Multi-Family Residential Design Standards

Each principle structure or development in which a majority of the gross floor area is occupied by multi-family dwellings must comply with the standards set out in this section, unless the provisions of Section 50-30.3, Mixed Use Development, apply:

A. Accessibility

Multi-family dwelling developments containing more than one principle structure on a single lot or parcel must include an unobstructed walkway or pathway providing access between the principle structures for persons with disabilities. The walkway or pathway must be at least 5 ft. wide, and, if curb ramps are necessary to provide such access, the curb ramps must comply with the slope and design requirements of the city.

B. Façade Length and Articulation

Total length of any multi-family structure façade shall not exceed 200 ft., and no façade wall shall extend more than 80 horizontal ft. without projections or recesses. Each facade greater than 100 horizontal ft. in length shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20% of the length of the facade.

C. Roof Design

Rooflines longer than 100 horizontal ft. shall include at least one vertical elevation change of at least 2 ft. All sloped roofs shall have overhanging eaves of at least one ft., and roofs with a pitch of less than 2:12 shall be screened by a parapet wall.

D. Four-Sided Design

All sides of a structure open to view by the public, whether viewed from public or private property, shall display a similar level of quality and architectural interest.

E. Parking Structures and Carports

To the maximum extent feasible, parking structures and carports shall not be located between the front or primary façade of a multi-family building and the street frontage adjacent to the front lot line, but shall instead be internalized within building groups so as not to be directly visible from the street frontage.

F. Design Features

At least three of the following design features shall be provided for visual relief along all facades of each primary multi-family building:

1. Roof dormers;
2. Gables;
3. Recessed entries;
4. Covered porches;

5. Cupolas;
6. Pillars, pilasters or posts;
7. Bay windows;
8. Eaves of at least 12 in. beyond the building wall or a parapet wall with an articulated design (decorative cornice, etc);
9. Multiple windows with minimum 4 in. trim;
10. Recesses/shadow lines;
11. Building foundation areas that face streets or public areas shall be landscaped to a minimum width of 5 ft. with a minimum of 3 shrubs per 20 lineal ft. of foundation.

G. Visibility of Common Areas

To promote public safety, primary multi-family dwelling structures and landscaping must be located and designed so that clear sight lines are provided to and between common open spaces, circulation paths and access points into the development, where applicable.

50-30.2 Commercial and Institutional Design Standards

A. Applicability

1. The standards of this Section 50-30.2 shall apply to each principal building or development in which a majority of the gross floor area is occupied by uses categorized in Table 50-19.8 as commercial and institutional uses, except for:
 - (a) Any building or development located in one of the form districts;
 - (b) Any building or development located on a lot smaller than 10,000 sq. ft.;
 - (c) Any building or development containing less than 10,000 sq. ft. of gross floor area.
2. If a building or development containing less than 10,000 sq. ft. of gross floor area is later expanded so that it contains 10,000 sq. ft. of gross floor area or more, it shall be subject to these requirements.

B. Facades and Articulation

Each commercial or institutional principle structures, other than large retail structures addressed in Section 50-30.2.D below, shall meet the transparency requirement described in subsection 1 below, and shall also comply with two of the remaining options listed in subsections 2 through 5 below, with the choice of those standards to be at the option of the owner:

1. Transparency Requirement

A minimum of 10% of each facade area that faces a street shall be composed of transparent materials. At least 1/2 of this amount shall be provided so that the lowest edge of the transparent materials is no higher than 4 ft. above the street level.

2. Wall Plane Articulation Option

Each facade greater than 100 ft. in length abutting a street shall incorporate architectural features such as wall plane projections, recesses, or other building material treatments and textures that visually interrupt the wall plane. No uninterrupted length of any facade shall exceed 100 horizontal ft.

3. Vertical Articulation Option

Each principal building taller than 30 ft. in height must be designed so that the massing or façade articulation of the building presents a clear base, middle, and top when viewed from the abutting street.

4. Roof Articulation Option

Where sloping roofs are used, at least one projecting gable, hip feature, or other break in the horizontal line of the roof ridgeline shall be incorporated for each 60 lineal ft. of roof. Where flat roofs are used, the design or height of the parapet shall include at least one change in setback or height of at least 3 ft. along each 60 lineal ft. of façade.

5. Foundation Landscaping Option

Building foundation areas that face streets or public areas shall be landscaped to a minimum width of 5 ft. with a minimum of 3 shrubs per 20 lineal ft. of foundation.

C. Entryway Design and Location

Each principal building shall have clearly defined, highly visible main entrances for occupants and customers with features designed to emphasize the importance of the entrance, which must include at least 2 of the following features, with the choice of the features to be at the option of the owner:

1. A canopy or portico;
2. A roof overhang;
3. A horizontal recess or projection;
4. An arcade or arch;
5. A peaked roof form;
6. An outside patio;
7. A display window;
8. Architectural tilework or moldings integrated into the building design;
9. Integrated planters or wing walls that incorporate landscaped areas or seating areas;
10. Another architectural feature not found on the remainder of that building façade.

D. Additional Standards for Large Commercial Buildings

In addition to meeting the standards in subsection 50-30.2.A above, single-story retail buildings containing 65,000 sq. ft. or more of gross floor area, in which one user or tenant occupies more than 75% of the gross floor area, shall meet the following additional standards:

1. Facade Articulation

Each building facade longer than 100 ft. shall incorporate wall plane projections or recesses at least 2 ft. deep, and extending at least 20% of the length of the façade. At least one of those wall plane projections or recesses shall repeat horizontally at an interval of no more than 30 ft.

2. Facade Design

Each building façade must have a repeating pattern that includes at least 2 instances of at least 1 of the following:

- (a) Color change;
- (b) Texture change;
- (c) Material module change;
- (d) Expression of an architectural or structural bay through a change in plane no less than 12 in. wide, such as an offset, reveal or projecting rib.

3. Pedestrian Oriented Design Features

Ground-floor façades that face public streets or accessory parking areas shall have arcades, display windows, entry areas, awnings or other such features along no less than 60% of their horizontal length.

4. Pedestrian Connections

All principal entrances of principal buildings shall have direct access (i.e., access without having to cross a public street) to a sidewalk, walkway, path or pathway that leads to a public street. Each such sidewalk, walkway, path or pathway must be a minimum of 5 ft. wide. If a sidewalk does not currently exist, and there is a sidewalk system in place, sidewalks on the property shall connect to the existing sidewalk system.

5. Bicycle Access

Bicycle access shall be provided between public bicycle lanes, paths, or routes on adjacent streets and on-site bicycle parking areas. Sites should be designed to avoid or minimize all conflicting bicycle/motor vehicle and bicycle/pedestrian movements.

E. Special Provisions for MU-B District

Not less than 30% of the exterior walls of all buildings shall be covered with finish grade brick, stone, concrete or masonry. No metal roofing materials shall be visible.

F. Alternate Commercial and Institutional Design

In lieu of compliance with the specific requirements of this Section 50-30.2, an owner may propose to the land use supervisor an alternative approach consistent with the intent of this section. The land use supervisor may approve a proposal under this section only if the proposed alternative achieves required façade design and articulation, entryway design and location, pedestrian oriented design features, pedestrian connections and bicycle access to the same degree or better than the provisions of this Section 50-30.2.

50-30.3 Mixed Use Design Standards

In a mixed use development, each residential principal building must comply with residential design standards, each commercial or institutional building must comply with commercial design standards, and each industrial building must comply with industrial design standards, unless the applicant chooses to request one of the alternative design requirements below.

A. Residential/Commercial

If a mixed use development contains a mix of (a) principal multi-family uses and (b) principal commercial, public, institutional, or civic uses, the applicant shall comply with the multi-family design standards in Section 50-30.1 and the ground floor transparency standards in Section 50-30.2.B.1.

B. Commercial/Industrial

If a mixed use development contains a mix of (a) principal commercial or institutional uses and (b) principal industrial uses the applicant may choose to comply with either the commercial or industrial design standards.

50-30.4 Industrial Design Standards

Each principal building, except a building greater than 100,000 sq. ft. in gross floor area in the MU-B, I-G and I-W districts, or development in which a majority of the gross floor area is occupied by uses categorized industrial uses in Table 50-19.8 must comply with the following standards, unless the provisions applicable to mixed use development apply.

A. Facade Articulation

Each industrial principal building must meet at least one of the following four standards, with the choice of the standard to be at the option of the owner:

1. Wall Plane Horizontal Articulation Option

Each facade greater than 100 ft. in length abutting a street, measured horizontally, must incorporate architectural features such as wall plane projections, recesses or other building material treatments and textures that visually interrupt the wall plane. No uninterrupted length of any facade may exceed 100 horizontal ft.

2. Vertical Articulation Option (for Buildings Taller than 30 Feet)

Each principal building greater than 30 ft. in height must have a change in cladding material or surface plane. No single cladding material or surface plane may extend for an uninterrupted vertical distance of more than 30 ft.

3. Parapet Variation Option

All facades visible from a public street must include a parapet that varies in height by at least 2 ft. for each 60 lineal ft. of façade length.

4. Foundation Landscaping Option

Building foundation areas that face streets or public areas shall be landscaped to a minimum width of 5 ft. with a minimum of 3 shrubs per 20 lineal ft. of foundation.

B. Entryway Design

Each principal building must have clearly defined, highly visible main entrances for occupants and patrons with features designed to emphasize the importance of the entrance, including at least one of the following elements, with the choice of the element to be at the option of the owner:

1. Canopy or portico;
2. Roof overhang;
3. Horizontal recess or projection;
4. Arcade or arch;
5. Peaked roof form;
6. Outside patio;
7. Display window;
8. Architectural tilework or moldings integrated into the building design;

9. Integrated planters or wing walls that incorporate landscaped areas or seating areas;
10. Similar architectural feature not found on the remainder of that building facade.

50-30.5 Parking Structure Design Standards

Each primary use or accessory parking structure shall comply with the following requirements:

- A. Each facade of the parking structure that faces a public street shall contain horizontal rather than sloped floor planes and shall not reveal interior ramps.
- B. All sides of the structure not occupied by retail, office or residential uses must be articulated through the applicant's choice of at least three of the following:
 1. Windows or window shaped openings;
 2. Decorative wall insets or projections;
 3. Awnings;
 4. Changes in color or texture of materials;
 5. Public art approved by the Duluth Public Arts Commission pursuant to its established review and approval criteria;
 6. Integrated landscape planters;
 7. Pedestrian-scaled lighting;
 8. Benches, plazas, or other pedestrian areas;
 9. Other features as approved by the land use supervisor as providing an equivalent degree of architectural articulation, visual interest or pedestrian amenity.
- C. Openings in the podium or tuck under parking areas shall be screened with architectural screens.

50-31 EXTERIOR LIGHTING

50-31.1 Applicability

A. General

Unless excepted in subsection B below, all exterior lighting on lots and parcels in any zone district that contain a primary structure with a multi-family, mixed use, commercial, institutional, industrial, or parking principal use, when any of the following conditions occur shall comply with the standards of this Section 50-31:

1. A new primary structure is constructed;
2. The floor area in an existing primary structure(s), taken collectively, is increased by more than 25%;
3. An existing primary structure is relocated on the lot or parcel;
4. The primary structure is renovated or redeveloped (including but not limited to reconstruction after fire, flood or other damage), and the value of that renovation or redevelopment, as indicated by building permits, is more than 25% of the market value of the land and buildings, as indicated by tax assessor's records;

B. Exceptions

The following types of lighting are not subject to the requirements of this Section 50-31:

1. Public street and right-of-way lighting;
2. Temporary decorative seasonal lighting;
3. Temporary lighting for emergency or nighttime work and construction;
4. Temporary lighting for theatrical, television and performance areas, or for special public events;
5. Lighting for a special district, street or building that, according to an adopted city plan or ordinance, is determined to require special lighting aesthetics as part of its physical character;
6. Lighting required and regulated by the FAA;
7. Lighting for outdoor recreational uses such as ball diamonds, playing fields, tennis courts and similar uses, provided that (a) light poles are not more than 80 ft. tall, (b) maximum illumination at the property line is not brighter than two footcandles, and exterior lighting is extinguished no later than 11:00 pm.

50-31.2 General Review Standard

If installed, all exterior lighting shall meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community. For purposes of this Section 50-31, properties that comply with the design standards of Section 50-31.3 below shall be deemed to not adversely affect adjacent properties or the community.

50-31.3 Design and Illumination Standards

All exterior lighting shall meet the following design standards:

- A. Any light source or lamp that emits more than 900 lumens (13 watt compact fluorescent or 60 watt incandescent) shall be concealed or shielded with an Illuminations Engineering Society of North America (IESNA) full cut-off style fixture with an angle not exceeding 90 degrees to minimize the potential for glare and unnecessary diffusion on adjacent property.

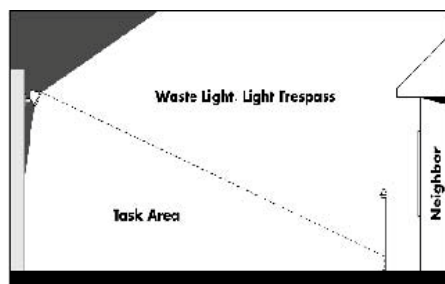


Figure 50-39.1-A: Does not comply -- Light trespass

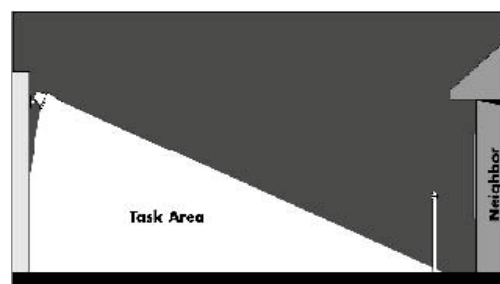


Figure 50-39.1-B: Complies - No light trespass

- B. All lighting shall have the intensities and uniformity ratio consistent with the IESNA Lighting Handbook, and shall be designed and located so that the illumination measured in footcandles at the finished grade shall comply with the standards in Table 50-31-1, Minimum and Maximum Illumination Values. The illumination shall take into account changes in finished grade, walls, building and other existing or proposed site conditions.

Table 50-31-1: Minimum and Maximum Illumination Values (in Footcandles)				
Use	Minimum Light Levels in Parking Lots	Maximum Average Illumination in Parking Lots	Maximum Illumination at Property Line (Excluding Rights-of-Way)	Maximum Illumination at Right-of-Way
Agricultural Uses	None	2.5	1.0	2.0
Residential Uses	0.2	1.0	1.0	1.0
Commercial, Retail, Office, Industrial, Mixed Uses, and Institutional (Including Athletic Fields) Uses	0.2	2.5	1.0	2.0

- C.** The maximum height of any lighting pole serving a residential use is 20 ft. The maximum height serving any other type of use is 25 ft., except that (1) in parking lots larger than 5 acres, the maximum height of any pole located at least 100 ft. from any residential use is 35 ft., and (2) in the I-G and I-W zone districts, the maximum pole height is 50 ft.
- D.** Floodlights shall not be utilized to light all or any portion of a building façade between 10:00 pm and 6:00 am.
- E.** Lighting on automobile service station, convenience store and other outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy. Maximum lighting level uniformity (maximum to minimum) on the site shall be 15:1.
- F.** In no case shall an exterior lighting source be visible from any property line or add more than one footcandle to illumination levels at any point off-site.
- G.** All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours.
- H.** Light fixtures used to illuminate flags, statues or any other objects mounted on a pole, pedestal or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.
- I.** For upward-directed architectural, landscape and decorative lighting, direct light emissions shall be contained by the buildings and not be visible above the building roof line.
- J.** No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.

50-32 INTERNATIONAL PROPERTY MAINTENANCE CODE

The city has adopted by reference the year 2000 edition of the International Property Maintenance Code, as the Housing Code of the city.

50-33 PLATS

50-33.1 General

All subdivision plats and replats, and all registered land surveys, shall create lots, streets and walkways and open spaces consistent with the requirements of the zone district within which the land is located. Without limiting the generality of the previous sentence, all plats and land surveys approved after November 19, 2010, shall be consistent with the lot dimension requirements contained in Sections 50-13 through 18 of this Chapter, as well as the requirements of Section 50-21 Dimensional Requirements, 50-22 Building Form Standards, 50-23 Connectivity and Circulation, 50-24 Parking and Loading, and 50-18.1.E Storm Water and Erosion Control. In addition, all subdivision plats and replats, and all registered land surveys approved after November 19, 2010, shall comply with the standards of this Section 50-33.

50-33.2 Site Design

- A. The site design process shall begin with an analysis of site constraints and natural resources, and shall avoid both to the degree practicable.
- B. In addition, the site design process shall include a pre-submittal evaluation of storm drainage to ensure that the proposed design will comply with the storm drainage and erosion control standards in Section 50-18.1.E. This study shall be submitted prior to submission of a preliminary plat of the property.
- C. The site design process shall include an evaluation of minimal impact development and low impact development methods.
- D. At a minimum, the lands included in the plat or survey shall be designed so that all developable parcels can be developed in compliance with the requirements of:
 - 1. Section 50-18.1 Natural Resources Overlay district, which identifies areas subject to flood plain, shorelands and wetland constraints, and storm water and erosion control;
 - 2. Section 50-18.4 Skyline Parkway Overlay district, which identifies constraints on the location of structures and fences on lands located within 200 ft. downhill of Skyline Parkway.
- E. Shore and bluff impact zones shall be included in common open space. Wetlands, floodplains, wildlife areas, steep slopes, rock outcrops, tree stands and areas in their natural state that are unsuitable for development shall be included in common open space if possible.
- F. Whenever a portion of a tract is proposed for platting and it is intended to enlarge such platted portion in the future, a tentative plan for the entire tract shall be submitted.
- G. To ensure a harmonious development in areas not subject to any zoning ordinance the subdivider may be required to place upon such plats restrictions comparable to those of this Chapter for similar areas.

50-33.3 Block Size

- A. In the MU-B, I-G and I-W zone districts, block lengths and widths shall be platted to accommodate the anticipated occupancy of the platted lots.
- B. In other zone districts, blocks shall be not less than 300 ft. nor more than 600 ft. in length.

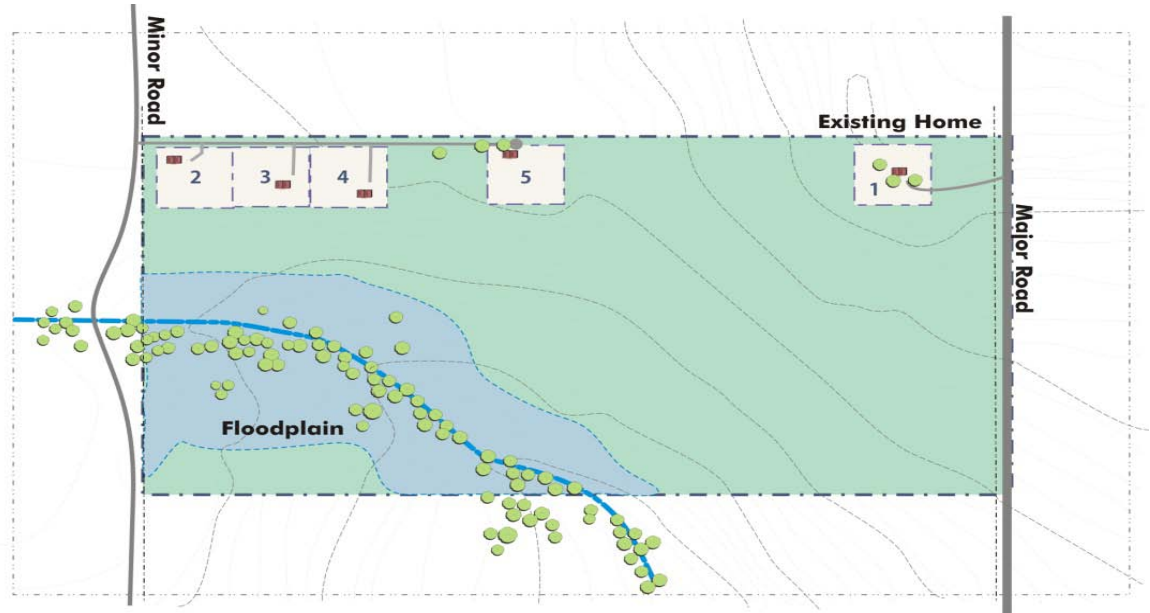
- C. Through lots or double-frontage lots shall be avoided as far as practicable, but may be permitted when necessary to allow efficient use of the land in light of site topography.

50-33.4 General Lot Design and Layout

- A. All lots shall have frontage on a public street unless that is impracticable due to topography and the city engineer approves an alternative layout based on considerations of public safety and land use efficiency.
- B. Where practicable, side lot lines shall be at approximately right angles to the street on which the lot fronts.
- C. Where practicable, adjacent lots shall not be platted so that their long axes are at right angles to each other.
- D. No strips of land shall be platted for private ownership that control access to public streets or that are untaxable for special improvements.
- E. Where practicable, lots shall be oriented so that the long axis of the lot is within 15 degrees of east-west in order to increase solar orientation.
- F. Flag lots are prohibited in R-1, R-2, and MU-N zone districts.

50-33.5 Specific Layout Standards for R-C, RR-1 and RR-2 Districts

- A. When (i) a tract or parcel of land in the R-C or RR-1 districts, or (ii) a parcel of land in the RR-2 districts with sewer service, is proposed for platting to create five or more residential building lots, those lots shall be clustered as described in this section in order to retain the open character of the land and reduce the amount of the tract occupied by building sites.
- B. When these clustering requirements apply:
 - 1. The applicant may create only as many residential building lots as would be permitted under the minimum lot size provisions of Sections 50-14.2, 50-14.3 or 50-14.4;
 - 2. If the parcel does not have sewer service, the minimum lot size for residential use shall be 2 acres and the maximum lot size shall be two- and-one-half acres. All new residential lots shall be clustered in close proximity to each other on a portion of the property that complies with the siting requirements of Section 50-21.2 so that the shortest line around the outer perimeter of all new residential lots encloses an area of land that:
 - a. In the R-C district, totals less than 20% of the total parcel being subdivided;
 - b. In the RR-1 district, totals less than 50% of the total parcel being subdivided;
 - 3. If the parcel has sewer service, the minimum lot size for residential use shall be one-half acre and the maximum lot size shall be one acre. All new residential lots shall be clustered in close proximity to each other on a portion of the property that complies with the siting requirements of Section 50-21.2 so that the shortest line around the outer perimeter of all new residential lots encloses an area of land that:
 - a. In the R-C district, totals less than 15% of the total parcel being subdivided;
 - b. In the RR-1 district, totals less than 25% of the total parcel being subdivided;
 - c. In the RR-2 district, totals less than 50% of the total parcel being subdivided;



4. To the maximum extent practicable, existing historic rural features shall be preserved as part of the cluster development. These features include but are not limited to rock walls, fences, functional and structurally safe farm buildings, monuments and landscape features;
5. To the maximum extent practicable, in the R-C district, the clustered residential lots shall be located so as to reduce visibility of residential development on the parcel when viewed from public streets adjacent to the parcel;
6. To the maximum extent practicable, the portion of the parcel not occupied by clustered residential lots shall be contiguous, shall not be fragmented by public or private road easements unless no other reasonable alternative exists, shall include any natural features listed in Section 50-33.2, and shall connect with open space on neighboring parcels in order to connect habitats and reduce fragmentation;
7. The portion of the parcel not occupied by clustered residential lots shall remain available for the use and benefit of the owners of the clustered residential lots, and need not be made available for the use or benefit of the public;
8. The portion of the parcel not occupied by clustered residential lots shall be shown on the preliminary and final plat, shall be owned and managed by a homeowners association and shall be encumbered through an easement, restrictive covenant, or other instrument suitable to the city to ensure that that it will provide continuing visual or use benefits to the owners of clustered residential lots and will not be developed until such time as the city may rezone all or a portion of the development for more intensive development;
9. The city may require the creation of a homeowner's association or other organization for ownership and maintenance of those portions of the property not included in clustered residential lots.

50-33.6 Streets

A. Alignment

1. New streets shall align with the existing street network on the same general alignment if practicable, unless the city engineer advises that an offset or alternate alignment is needed for public safety or topography.
2. Streets shall intersect at approximately right angles wherever practicable, and intersection angles less than 30 degrees shall be avoided.
3. On major and secondary streets the centerline radius of curvature shall be 350 ft. On minor and local streets the centerline radius of curvature shall be 100 ft.
4. Cul-de-sacs are discouraged in new and replatted developments except where through streets are not practicable due to site or topography constraints.

B. Grade

1. Streets shall conform to existing contours as far as practicable so as to avoid grades in excess of 5% on major and secondary streets and 10% on minor and local streets. Changes in grade shall be made by vertical curves of such length to meet the design speed of the road.
2. Where practicable, grades within 30 ft. of street intersections, especially intersections on major streets, should not exceed 3%.
3. Where practicable, horizontal and vertical curves shall not occur together.

C. Width

1. Major streets shall be platted at those widths shown in the Major Street Plan and collector and local streets shall be platted not less than 66 ft., or 50 ft. if there are no utilities, in right-of-way width, except as noted in subsection 2 below.
2. Where the plat includes parkways, streets along railway rights-of-way, immediate or future grade separations, bridges or viaducts, the city engineer shall specify the street width at the time of platting based on considerations of public safety and land use efficiency.
3. Dead-end streets shall be provided with ample turning spaces at or near the closed ends.

D. Names

Proposed streets that are direct extensions or continuations of existing streets shall be given the same names as those existing streets. Other streets shall not be given names that duplicate existing street names or that may be confused with existing street names.

50-33.7 Alleys and Easements

- A. Alleys are encouraged in Form Districts and where the existing lot and block pattern in the surrounding area contains alleys. Where allowed they shall be not less than 20 ft. in width in residential areas and 24 ft. in width in commercial and mixed use areas.
- B. Where no alleys are located, the city engineer may require easements, not less than 10 ft. on each side of any lot line, for sewer, water, gas, telecommunications and other public or semi-public utilities.

- C. Regardless of whether alleys are provided, the city engineer may require that utility easements be provided across platted lots if necessary for the proper provision of continuous routes for those utilities.

50-33.8 Land for Public Purposes

- A. The subdivider may be required to set aside lands to accommodate open spaces and sites for police stations, fire stations, schools or public utility facilities.
- B. The amount of land required to be set aside or dedicated to the city or the school district shall not exceed the proportionate share of the need for those facilities generated by the new development indicated on the proposed plat. The proportionate share shall be established either (1) through one or more formulas established by the city and generally applicable to development applications creating the need for the facility, or (2) an individualized review of the additional demands for city services or facilities represented by the proposed plat, in relation to the proposed capacity of the facility to be constructed on the lands set aside.
- C. Lands to be set aside for parks, trails or open space shall generally be located adjacent to, or connect with, or allow access from, any similar open lands located on adjacent lands, unless the city requests an alternate location for reasons of public health, safety or convenience.
- D. The size and location of lands to be set aside for police stations, fire stations, schools or utility facilities shall be negotiated with the city or the agency providing those services.

50-33.9 Improvements Required

Each subdivider shall be required to design and install the following improvements within five years following the approval of the plat, replat or registered land survey by the city. The city may enforce these requirements through a development agreement or the requirement of financial security for the required improvements as described in Article 5, Review and Approval Procedures.

- A. All streets located within the boundaries of the tract being subdivided or replatted shall be graded to established grade and surfaced with an approved material, in accordance with standards of the city engineering department.
- B. Storm sewers shall be constructed of sufficient capacity to drain the area in accordance with standards of the city engineering department.
- C. Culverts or bridges shall be built at points on watercourses crossed by streets.
- D. Sidewalks shall be constructed in accordance with Section 50-23.
- E. All improvements to streets or public utilities shall be made in accordance with city construction design standards and specifications, and shall be subject to the inspection by and approval of the city engineer.

50-34 MAINTENANCE AND OPERATING STANDARDS

50-34.1 General Maintenance Requirement

When the standards and procedures of this Chapter require that any building or site feature be constructed or installed, or when conditions attached to a special use approval, variance or zoning permit approval require that building or site features be constructed or installed, the property owner shall be responsible for maintaining those building or site features in good repair, and for replacing them if they are damaged or destroyed or, in the case of living materials, if they die after installation. In addition, property owners shall be responsible for the additional maintenance, replacement and operating standards set forth in this Section 50-34.

A. Maintenance of Signs

Any private sign, including any sign for which a permit is not required, that has become damaged, dilapidated or dangerous shall be immediately, or within the time frame mandated by the building official, repaired or removed. If the paint on any sign has checked, peeled or flaked to the extent that the sign cannot be read in whole or in part, the sign shall be repainted or removed. Signs that contain messages that have become obsolete because of the termination of the use or business or product advertised, or for some other reason, shall have such message removed within 60 days of its becoming obsolete.

B. Landscape Maintenance

Landscaped areas and plant materials required by this Chapter shall be kept free from refuse and debris. Plant materials shall be maintained in a healthy growing condition and be neat and orderly in appearance. If any plant material required by this Chapter dies or becomes diseased, it shall be replaced by the property owner on or before October 1 of the year the dead or diseased planting is discovered or within the time frame mandated by the building official.

C. Temporary Erosion and Sediment Control Maintenance

All temporary erosion and sediment control measures required by Section 50-18.1.E shall be maintained as described in Section 50-18.1.E.5.

D. Storm Water Management System Maintenance

All storm water management systems required by Section 50-18.1.E shall be maintained as described in Section 50-18.1.E.5.

50-34.2 Operating Standards

All structures, uses and activities in all zone districts shall be used or occupied so as to avoid creating any dangerous, injurious, noxious or otherwise objectionable condition that would create adverse impacts on the residents, employees or visitors on the property itself or on neighboring properties. This responsibility shall include but not be limited to the following:

A. Glare

Glare, whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line.

B. Noise

All activities shall comply with state statutes and regulations.

C. Odors

All activities shall comply with state statutes and regulations.

D. Smoke

All activities shall comply with state statutes and regulations.

E. Vibration

Operations shall cause no inherent and recurring generated vibration perceptible without instruments at any point along the property line. Temporary construction is excluded from this restriction.

F. Electromagnetic Radiation

It shall be unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure or any other use directly or indirectly associated with these purposes that does not comply with the current regulations of the FCC regarding such sources of electromagnetic radiation. However, in case of governmental communications facilities, governmental agencies, and government owned plants, the regulations of the Interdepartmental Radio Advisory Committee shall take precedence over the regulations of the FCC regarding those sources of electromagnetic radiation.

G. Hazardous Materials

The storage and handling of flammable liquids, liquefied petroleum, gases and explosives shall comply with all applicable regulations of the state. All applicable federal, state and local laws, rules and regulations shall apply to the treatment, storage, transportation and disposal of any hazardous materials, hazardous wastes or solid wastes.

H. Materials and Waste Handling

No person shall cause or permit any materials to be handled, transported or stored in a manner that allows particulate matter to become airborne or liquid matter to drain onto or into the ground. All materials or wastes that might cause fumes or dust or that constitute a fire hazard or that may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed, impermeable trash containers that are screened in accordance with the requirements of this code. Toxic and hazardous materials and chemicals shall be stored, secured and maintained so that there is no contamination of ground, air or water sources at or adjacent to the site. Provisions shall be provided so that all lubrication and fuel substances shall be prevented from leaking or draining onto the property. All treatment, storage, disposal or transportation of hazardous waste shall be in conformance with all federal and state statutes, codes and regulations. All sewage and industrial wastes shall be treated and disposed of in such a manner as to comply with the water quality standards applicable to the classification assigned to the receiving water by the city, the state, and the U.S. Environmental Protection Agency.

I. Nuclear Radiation

Research operations shall cause no radiation at any property line that violates any regulation of the U.S. Nuclear Regulatory Commission.

J. Nuisance Prohibited

All structures and land uses within the city shall be constructed, used, operated and maintained in such a manner so as to be free of nuisances, as defined in state law.

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